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6-38 (Rev. 10-15-62)

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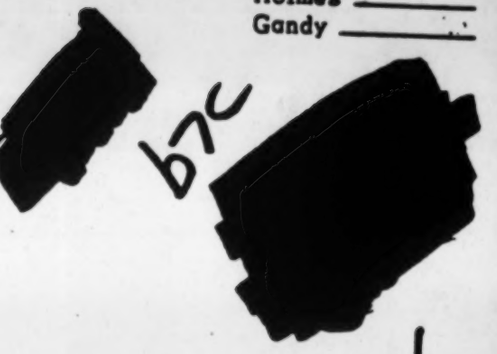

UPI-112
(POWELL)

WASHINGTON--CHAIRMAN ADAM C. POWELL, D-N. Y., AND THREE MEMBERS OF THE HOUSE EDUCATION AND LABOR COMMITTEE WILL LEAVE TOMORROW FOR TWO DAYS OF INVESTIGATIONS AND CONFERENCES IN PUERTO RICO AND THE VIRGIN ISLANDS, THE COMMITTEE ANNOUNCED TODAY.

POWELL AND REPS. EDITH GREEN, D-ORE., DOMINICK DANIELS, D-N. J., AND JOHN DENT, D-PA., ALONG WITH NINE COMMITTEE AIDES, WILL TRAVEL TO THE ISLANDS BY MILITARY AIR TRANSPORT SERVICE (MATS).

POWELL SAID THE MEMBERS AND STAFF WILL SPLIT UP AND STUDY COMPLAINTS FROM SCHOOLS NEAR RAMEY AIR FORCE BASE, PUERTO RICO, THAT THEY RECEIVED "IMPACTED AREAS" AID FOR ONLY 2,600 OF THE 3,800 ENROLLED CHILDREN OF SERVICEMEN AND FEDERAL EMPLOYES AND A COMPLAINT FROM THE VIRGIN ISLANDS TRADE UNION COUNCIL ALLEGING THAT ALIEN STRIKEBREAKERS ARE BEING IMPORTED.

IN ADDITION, HE SAID, CONFERENCES HAVE BEEN SET UP WITH PUERTO RICAN OFFICIALS TO DISCUSS ADMINISTRATION OF THE NEW VOCATIONAL EDUCATION, MANPOWER TRAINING AND JUVENILE DELINQUENCY CONTROL LAWS; WITH OFFICIALS OF THREE PUERTO RICAN UNIVERSITIES TO OUTLINE PROVISIONS OF THE NEW COLLEGE CONSTRUCTION AID LAW; AND WITH LABOR AND MANAGEMENT OFFICIALS ABOUT OPERATION OF THE 1961 MINIMUM WAGE LAW.

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WASHINGTON CAPITAL NEWS SERVICE

6-19 (Rev. 5-27-63)

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Powell Is Held In Contempt in 211G Suit Loss

Rep. Adam Clayton Powell Jr. was found guilty of contempt of court yesterday for failing to appear for examination in connection with a $211,500 judgment obtained against him by a Harlem widow he described as "a bag woman" for corrupt police.

Supreme Court Justice Arthur Markewich, who adjudged Powell in contempt, said he could purge himself by paying the "entire judgment" or appearing in court for the examination within five days, or at any time stipulated by counsel.

Rep. Powell

A Supreme Court jury had awarded the judgment to Mrs. Esther James after Powell made his remark on a television program.

Subpena Properly Served

Justice Markewich ruled that Powell had been properly served with a subpena calling for his appearance in court to be questioned about his finances last Sept. 20.

The subpena was placed on the door of his apartment at 120 W. 138th St. and a copy was mailed to him.

Powell's appeal from the jury award is scheduled to be heard in the Appellate Division next month.

Background data - no relation to any Bureau case

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JAN 9 1963

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News 3
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
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6-19 (Rev. 5-27-43)

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Powell: Unconcerned At N.Y. Court Ruling

By A. W. MALDONADO

Rep. Adam Clayton Powell (D.-N.Y.) showed no sign of concern here yesterday following a New York State Supreme Court ruling Friday finding him in contempt of court.

Reached by telephone at his home in Cerro Gordo, Powell said when asked whether the court ruling has him worried:

"I'm looking forward to having a wonderful steak just now. But I tell you, I am concerned about the lawn here; it hasn't rained in

(See POWELL, Page 32)

POWELL

(Continued From Page 1)

a few days."

He said that he still plans to remain in Puerto Rico until Jan. 4. He arrived here on Dec. 17 to join his Puerto Rican wife, Yvette and his 18-month old son.

Observers in Washington and New York believe that the court ruling places the controversial Harlem political leader in real difficulty for the first time. The court ruled Powell in contempt for failure to show up at a Sept. 20 hearing concerning a $211,989 court judgment against him. The judgment was obtained by Mrs. Esther James, a Harlem widow, who had charged Powell with libeling her and subsequently won the case.

Lawyer Called

Powell said here yesterday that he learned of the contempt ruling last evening when his lawyer, George Covington, called him from New York. Powell said that he was playing his favorite game, time. A press statement was predominoes with neighbors at the pared, Powell said, but added: "I can't remember what it says now. I was concentrating on the domino game."

(In New York, according to the Associated Press, a spokesman said Powell will appeal the judge's decision, ruling him in contempt of court.

"Improperly Served"

Powell said through his lawers yesterday in New York that the appeal will be made on the basis that the contempt of court order was improperly served. It was handed to a member of the law firm representing him.

(State Supreme Court Justice Arthur Markewich ordered the Harlem Congressman Friday to pay the judgment or appear in court Jan. 6 and detail his financial ability to pay.

(If Powell fails to appear, he could be arrested, but only in New York and on that day. Congress convenes the next day and he could claim Congressional immunity.)

Powell said here yesterday that he has been having a "wonderful" time in Puerto Rico swimming, fishing and playing dominoes.

"The weather here has been very beautiful. I am getting fat and suntanned. When I get back to Washington they are going to think that I am a Negro."

The San Juan Star

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
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The Wall Street Journal
The National Observer
People's World
Date 12/29/63

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128 JAN 31 1964

Powell Boosts Rights Drive In Cambridge

Negroes Told They Need Obey Only 'God's Law'

By BRIAN KELLY
Star Staff Writer

CAMBRIDGE, Md., Feb. 5.—Representative Adam Clayton Powell, jr., of New York told a large, cheering crowd of Negroes here last night they have "a divine right" to break the white man's laws.

Negroes seeking their rights should obey only "God's law," he said. "It's the voice of God that counts, not the voice of the President, Congress, the Governor, the head of the National Guard, the Mayor, the police," the Negro Congressman from Harlem declared.

Giving Mrs. Gloria Richardson's militant civil rights drive here a powerful assist, the New York Democrat urged Cambridge Negroes "to get rid of your Uncle Toms and Aunt Toms" and rally behind Mrs. Richardson, even if they do not fully accept her views.

Hall Is Packed

Representative Powell's appearance here was construed as an attempt to rekindle enthusiasm among Cambridge Negroes for Mrs. Richardson's protest movement, which has suffered from divisions among the local civil rights leaders.

More than 500 enthusiastic Negroes, the largest such crowd to gather here since last summer's civil rights activity, packed a local Elks hall to hear Mr. Powell. At the height of last year's campaign, 300 to 400 persons attended the rallies of her Cambridge Non-Violent Action Committee.

Last night, Mr. Powell, who is pastor of the Abyssinian Baptist Church in Harlem, chided the "Uncle Toms" who fear activist measures such as street demonstrations.

"People say it's against the law," he shouted. "What laws? And who made them?

"They are not our laws until we have a part in making them."

Escorted by Police

His voice was drowned out by shouts and applause when he added, "It's a divine right for the people of Cambridge to break the law until they have a share." The Negro lawmaker, who left immediately after his 15-minute talk, was escorted by Maryland State Police into Cambridge, where the State's "militia law" still is administered by a handful of National Guard troops.

Maj. Jack Kauffman, commander of the small group, said a local National Guard infantry company was on alert last night in case of trouble, but its members were not needed. Under the "occupation" by the Guard force, demonstrations still are banned in Cambridge.

Mr. Powell told his audience that food could be obtained under the Government's surplus food program for needy white and Negro families in the area if only the head of the county would pick up the telephone and ask for it.

Dressed in a trench coat, Mr. Powell arrived late. He gave Mrs. Richardson a hug and a kiss and said he came here to pay her homage.

Moderates among the whites and Negroes feared the flamboyant Congressman's appearance here would serve to renew racial tensions in Cambridge, where the civil rights drive initiated by Mrs. Richardson last year erupted into violence and gunfire. Mrs. Richardson said she asked Representative Powell to speak here last night "as a kickoff point for going into action again." Making new demands for better treatment of Negroes here, she predicted demonstrations would resume within 10 days and announced another rally would be held next Tuesday to formulate plans for the renewed activity.

Among the demands she said her group was making was a plea for establishment of a "planning commission" that would obtain Federal aid for Negroes in the areas of housing, urban renewal rural redevelopment, education, surplus food program and employment opportunities.

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The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

100-51230-A
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FEB 5 1964

That was disputed by lawyer William C. Chance, who argued Mr. Powell's appeal. He knew of no settlement offers, he said, and his advice would be for Mr. Powell to appeal the $46,500 award.

Did he feel the sum could be whittled further, or even eliminated?

"I believe so," he said.

Mrs. James took the subway from Harlem to Mr. Rubin's lower Broadway office for a chat with a reporter. "He told me to take a taxi," she said, but she lives on less than $45 a week "and you know those taxi costs."

A portly women, she wore a yellow dress and a big, floppy black hat and, in the soft lilt of her native Jamaica, she told how she first met Mr. Powell years ago at a neighbor's home. She hasn't seen him in years, she said, certainly not since she brought the libel suit. "I would never talk to that man. I'd sooner die."

Mr. Rubin said he was going to Puerto Rico next week to check on Mr. Powell's assets there and on the chances of getting at them after a court judgment.

"I hope you enjoy your trip, Mr. Rubin," said Mrs. James.

6-19 (Rev. 5-27-63)

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Powell Verdict Cut—New Trial?

By Maurice C. Carroll
Of The Herald Tribune Staff

Mrs. Ester James was in her $35.75-month Harlem apartment sewing a dress when her lawyer telephoned to say that a court had slashed her $211,500 libel award against Rep. Adam Clayton Powell to $46,500.

Rep. Powell was on the floor of the House of Representatives when a reporter telephoned his Washington office with thenews of the New York State Appellate Division ruling. Someone went to tell the Congressman, but they said later that Mr. Powell was too hard at work to leave the floor to talk about it.

Raymond Rubin, the lawyer who won the libel case for Mrs. James, was happy to talk about it. He sat in his office munching a tuna sandwich and sipping from a bottle of low-calorie black raspberry soda and said: "My first inclination is to advise her not to take it. Before this, I had been offered considerably more—in the high five figures—to settle it."

The case involved an accusation by Mr. Powell on a television show on March 6, 1960, that Mrs. James, a 67-year-old widow, was a "bag woman" (graft collector) for corrupt police. On April 4, 1963, a state Supreme Court jury awarded her $11,500 compensatory damages (nontaxable) and $200,000 punitive damages (taxable).

Adam Clayton Powell

Mrs. Esther James

Yesterday, the five-judge Appellate Division let the compensatory award stand, but called the punitive award "grossly excessive" and cut it to $35,000. It gave Mrs. James the choice of taking the $46,500 or going through a new trial.

Mr. Rubin finished his sandwich and said, "I think a jury, knowing what Powell did since the trial, might award her $900,000 the next time."

What Mr. Powell did was to commute between Washington and his plush Puerto Rican home, avoiding New York, except on Sundays when subpoenas could not be served on him, thus frustrating Mrs. James' [illegible] efforts to collect her money.

Mr. Rubin [illegible] ories from Mr. Powell had offered previously to settle "in the high five figures" with the stipulation that "payment would be in cash, not from him but from his friends."

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
File

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0-19 (Rev. 5-27-63)

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Rep. Powell Spurs Fight In Cambridge

CAMBRIDGE, Md., Feb. 4 (Special)—Some 750 cheering Negroes and white civil rights sympathizers cheered a 15-minute speech by Rep. Adam Clayton Powell (D-N.Y.) here tonight.

Drawing heavily on Biblical analogy, Powell urged Negro followers of Gloria Richardson, a leader in this Eastern Shore community's long fight for equality, to unite behind her for the cause's victory.

"Let God use you," Powell advised, "and use what's in your hands." The lowliest of Mrs. Richardson's supporters, he said, is "helping to make the foreign policy of the United States" in the eyes of the new nations everywhere.

Powell's appearance at the Elks Hall in the Negro Second Ward, by pre-arrangement with Mrs. Richardson, deferred previous talk of a massive demonstration march tonight, the likes of which touched off disorders here last summer.

The Washington Post and Times Herald A 2
The Washington Daily News
The Evening Star
New York Herald Tribune
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New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
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6-19 (Rev. 5-27-63)

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Who Was Crispus Attucks?

Powell Will Probe School Text Books

By TOM KELLY

Adam Clayton Powell, who seems confident of his own place in history, announced last night that he will soon probe school text books to see where and why certain heroes have been left out.

The Harlem Congressman was the principal speaker at a meeting sponsored by the Capitol Press Club at the Rev. E. Franklin Jackson's John Wesley A. M. E. Z. Church and it had been suggested that he might well have something explosive to say.

The explosion was somewhat muted since Rep. Powell repeated a theme he'd introduced earlier in the month at a speech at Cambridge, Md.: "That no man is bound by the laws of man when they are in conflict with the laws of God."

ADAM CLAYTON POWELL

BANG

In Cambridge it has produced a big bang and the City Council and the town's businessmen had called him a "seditionist" and said he was guilty of treason.

Last night the response was much milder and the biggest applause was reserved for his ad lib remarks on history text books.

Recently, he said, at the White House he had suggested to one of the "Irish Mafia"—"one of the most liberal men in a liberal group"—that a Navy ship be named for Crispus Attucks, a Negro who was the first man to die in the American Revolution.

The man had asked, "who's he?"

Within weeks, the Congressman said, his Committee on Education and Labor will begin an examination of history text books to determine the heroes—who were also members of minority groups—who have been left out.

PETTY LEADERS

In another extension of his prepared text, the Congressman scored "those petty Negroes who think they are leaders" who are not cooperating with the real leaders of the "Black revolution."

As an example of whom he had in mind, he pointed out that no elected Negro office holder in New York, except himself, had supported the Tucson Boycott of schools there. He also blasted Negro leaders who urged caution in the matter of demonstrations this year.

"The demonstrations are not going to decrease," he said. "They will increase."

He outlined his own plans for the summer.

"It is my intention to tour the country, speaking in the most populous states where Negroes are concentrated, urging that none is fit to take part in a demonstration who is not a registered voter. This is one place in American life where we can attain instant equity."

The Washington Post and Times Herald
The Washington Daily News 14
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date FEB 28 1964

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NOT RECORDED
128 MAR 5 1964

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It is an election year, he said, and a year when Negro voters hold the deciding edge in Illinois, Michigan, New York, Pennsylvania, Ohio, Missouri, California and New Jersey. It is the second year of the "Black Revolution", he said, when the Negro can pursue his goals both in the streets and at the polls.

It was, he seemed to be suggesting, a year that will go down in history.

6-20 (Rev. 10-15-62)

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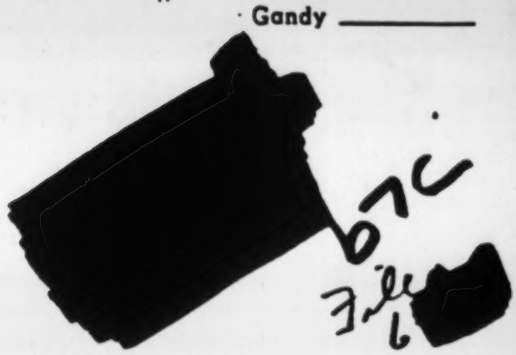

UPI-121
(POWELL-BOYCOTT)

WASHINGTON--REP. ADAM C. POWELL, D-N.Y. TODAY ANNOUNCED HIS FULL SUPPORT FOR A PROPOSED SECOND NEGRO SCHOOL BOYCOTT IN NEW YORK CITY MARCH 16.

POWELL SAID AT A NEWS CONFERENCE HE WAS FOR THE BOYCOTT EVEN THOUGH THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP), URBAN LEAGUE AND CONGRESS OF RACIAL EQUALITY (CORE) NATIONAL ORGANIZATIONS OPPOSED IT.

HE SAID LOCAL CHAPTERS OF THOSE GROUPS WERE "REBELLING" AND SEVERAL HAVE ALREADY EXPRESSED THEIR SUPPORT. POWELL SAID THE BOYCOTT WAS 92 PER CENT EFFECTIVE IN THE SCHOOLS OF HIS HARLEM CONGRESSIONAL DISTRICT AND "I HOPE IT WILL BE 100 PER CENT THIS TIME."

POWELL SAID HE HOPED TO BE ON HAND TO TAKE WHATEVER PART THE LEADERS OF THE BOYCOTT ASKED, AND ANNOUNCED THAT HIS CHURCH WOULD BE OPENED FOR USE AS "FREEDOM CLASSROOMS" FOR CHILDREN PARTICIPATING IN THE BOYCOTT.

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WASHINGTON CAPITAL NEWS SERVICE

8-20 (Rev. 10-15-62)

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UPI-1[illegible]
(POWELL)

SAN JUAN, P.R.--CONGRESSMAN ADAM CLAYTON POWELL TODAY SURRENDERED TO POLICE IN CONNECTION WITH A FRAUD WARRANT BUT WAS QUICKLY RELEASED WHEN HE PROMISED A JUDGE THAT HE WOULD APPEAR FOR TRIAL "AT SOME LATER DATE."

THE WARRANT FOR HIS ARREST WAS OBTAINED BY MRS. ESTHER JAMES, 67 A HARLEM WIDOW WHO WON A $46,500 LIBEL JUDGMENT AGAINST THE NEW YORK DEMOCRATIC CONGRESSMAN WHEN HE ACCUSED HER OF BEING A "BAG WOMAN," OR GRAFT-COLLECTOR, FOR THE POLICE DEPARTMENT ON A TELEVISION PROGRAM.

MRS. JAMES HAS BEEN TRYING TO COLLECT FOR NEARLY A YEAR. SHE FOLLOWED POWELL TO PUERTO RICO, WHERE HE HAS A PLUSH HOME, AND CHARGED THAT HE ILLEGALLY TRANSFERRED HIS PROPERTY TO THE NAME OF HIS WIFE'S UNCLE TO ESCAPE PAYMENT. THE CHARGE RESULTED IN THE WARRANT FOR HIS ARREST ACCUSING HIM OF FRAUD.

POWELL SAID HE SURRENDERED HIMSELF TO JOSE PEREZ RODRIGUEZ, RIO PIEDRAS DISTRICT JUDGE, WHO HAPPENED TO BE VISITING POLICE HEADQUARTERS IN VEGA BAJA WHEN THE HARLEM CONGRESSMAN WALKED IN THE DOOR.

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REC-26

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WASHINGTON CAPITAL NEWS SERVICE

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CIVIL ACTION SAID PLANNED HERE BY MRS. JAMES

Powell To Be Hit With New

A civil suit is due to be filed against Rep. Adam Clayton Powell (D.-N.Y.) Thursday in Vega Baja District Court, an opposing attorney said yesterday.

The lawyers, E. L. Beley Trujillo is representing Mrs. Esther James, a New York City widow who won a $46,500 judgment against Powell on grounds of libel from the New York State courts.

The purpose of the civil suit will be to "nullify the fraudulent conveyance of property" in order to secure payment to Mrs. James, Trujillo said.

Powell was arrested last Thursday on criminal charges in connection with the same case. The charges claim he transferred title to his Cuevo Gordo home to relatives of his wife to avoid payment to Mrs. James. No date has been set for the criminal trial.

Motion Filed

It was also learned yesterday that Virgilio Mendez Cuesta, lawyer for Powell, has filed a "motion of reconsideration" asking the Vega Baja court to reconsider a judgment handed down on May 20 which denied Powell's motion that the criminal charges are in conflict with the statute of limitations.

At the May 20 hearing, the court denied a motion by Mendez, claiming that when the criminal suit was filed April 17, 1964, the one year provision for filing criminal suits had already expired.

The motion plain calendar monwealth tr fines a legal 365 days. But year, with an ion states, the tions had expired.

Defense lawyer terday that he he motion calling this a move "frivolous, ck ing in merit."

The San Juan Star
The Washington Post and Times Herald
The Washington Daily News
The Evening Star
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New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date 5/26/64

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EX 109
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0-20 (Rev. 10-15-62)

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UPI-30
(REP. PWELL)
ALBANY, N.Y.--THE STATE'S HIGHEST COURT HAS ORDERED REP. ADAM CLAYTON POWELL TO PAY $46,500 TO THE 67-YEAR-OLD NEGRO WOMAN HE CALLED A "BAG WOMAN"--OR INFORMER--FOR THE POLICE DEPARTMENT.
THE HARLEM CONGRESSMAN'S CONVICTION FOR LIBEL WAS UPHELD IN A UNANIMOUS DECISION HANDED DOWN YESTERDAY BY THE STATE COURT OF APPEALS. IT ALSO UPHELD THE DECISION OF A LOWER COURT CUTTING A JURY'S AWARD TO THE WOMAN FROM $211,500 TO $46,500.
A WARRANT FOR POWELL'S ARREST IS EXPECTED TO GO INTO EFFECT TOMORROW. IT WAS ISSUED BY MANHATTAN CRIMINAL COURT JUSTICE EVELYN RICHMAN, BUT HELD IN ABEYANCE. THE WARRANT ACCUSES POWELL OF TRANSFERRING A $900 CHECK HE HAD RECEIVED FOR WRITING TO A MAGAZINE ARTICLE TO HIS WIFE'S NAME WHEN HE LEARNED MRS. JAMES PLANNED TO HAVE IT LEGALLY SEIZED.
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WASHINGTON CAPITAL NEWS SERVICE

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New Warrant Seeks Powell Arrest Sunday

A new warrant was issued yesterday for the arrest of Rep. Adam Clayton Powell, in the latest legal maneuver to force him to pay a $46,500 libel judgment to a Harlem widow.

Raymond Rubin, attorney for the widow, Esther James, charged Powell illegally transferred certain funds here to prevent collection by his client.

Specifically, Powell was said to have transferred a $900 check to his wife's name when he learned Mrs. James intended to attach it.

May Be Served on Sunday

As a result, Powell was to answer a summons on this charge yesterday in Criminal Court. When he failed to appear, Judge Evelyn Richman signed the new warrant calling for Powell's arrest.

Although a previous arrest warrant had been issued against the Harlem Congressman, it was on a civil contempt charge and could not be served on Sunday.

The new warrant, according to Rubin, may be served on Sunday — when the Congressman is known to visit New York — but not on church property or when Congress is in session.

Preaches at His Church

Powell visits the city Sundays to preach at his Abyssinian Baptist Church in Harlem, of which he is pastor.

If Powell could be arrested on a Sunday, Rubin pointed out, he would be held until Monday, when the civil contempt warrant also could be served.

Mrs. James was originally awarded a $211,500 slander verdict on the charge that Powell called her a "bagwoman" for corrupt policemen in Harlem. This judgment was reduced to $46,500 in February and she has been trying to collect ever since.

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News 10
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date JUL 9 1964

94 JUL 27 1964

100-51220-A
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0-19 (Rev. 5-27-63)

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The Washington Merry-Go-Round

Powell Details Needs of Negroes

By Drew Pearson B-11

Adam Clayton Powell of Harlem is not exactly a friend of mine. He doesn't enthuse over the fact that I have frequently called attention to his junkets abroad, including the de luxe trip with two beautiful assistants when he asked the State Department to arrange for theater tickets in London, night club reservations in Paris, and the American consul's launch in Venice.

Pearson

However, with [illegible] devastating Philadelphia, New Jersey cities, and, earlier, Harlem, I went up to see Powell to ask his ideas on preventing racial violence.

He received me cordially. However, since he had to go to the House floor for a quick vote, I had to wait in his office briefly. Inasmuch as I have been critical of Powell for missing roll call votes, I couldn't object to this delay.

Squalid Harlem

Upon Congressman Powell's return, we moved into his inner sanctum and discussed the problems of racial violence.

"The Civil Rights Law is of no value to the Negro in the North," said the Congressman from Harlem. "His problem is lack of jobs, lack of training, and crowded slum conditions.

"Harlem used to be a middle-class Jewish district where Eddie Cantor and Milton Berle grew up. In those days 80,000 whites lived in Harlem. Today there are 300,000 Negroes, with not one additional hospital built in half a century and the facilities just about the same as they were when Eddie Cantor was a boy.

"The toilet facilities in some apartment houses are almost nil," continued Powell. "People are crowded together in the most squalid, rat-infested, unsanitary conditions."

Powell indicated that conditions in other big Northern cities are the same. He was bitter on the subject of New York police brutality, and prefers the police of Montgomery, Ala., and Jackson, Miss.

"The riot squads in New York have been trained to use live ammunition. This was not done in Montgomery or Jackson," said the Congressman. "Dogs or cattle prods are much better than live ammunition.

"The best trained police horses in New York are for riot purposes in Harlem and are only one and a half blocks from the scene of the recent riots. But they were not used."

"How can we stop these racial outbreaks?" I asked.

"We should get all the civil rights groups together," Powell replied, "the ministerial groups, the black nationalists, the two Muslim groups—and form a committee to prevent racial violence. The upper class Negroes cannot manage the masses in the streets. But the Harlem Unity Committee stopped another march on the police station."

Powell is both handsome and articulate. He has the appearance of a Spanish grandee, and his parents must have been more Indian than Negro.

Referring to his statement that the Civil Rights Act is of no help to the Northern Negro, I asked what would help to clear up the slums of Harlem, Philadelphia, and Chicago.

The Congressman ticked off a list of bills that had recently cleared the Education and Labor Committee of which he is chairman.

"The war on poverty bill will help Harlem," he said. "It will help 800,000 boys and girls who are untrained in all the big cities. The vocational education bill will also help. It is aimed at dropouts.

"Spain, incidentally, has the best residential training schools for dropouts. As a result, Spain has the lowest juvenile delinquency rate in the world. Our problem [illegible]

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File 5

The Washington Post and Times Herald B11
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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The Washington Merry-Go-Round

Powell Abroad During Rights Vote

By Drew Pearson

I don't like to be in the position of apologizing to Rep. Adam Clayton Powell of Harlem or anyone else for an error. But shortly after interviewing him about the problems of race riots in big cities, I discovered that I had underestimated his traveling propensities.

Pearson

The Congressman from Harlem had informed me that he had made no recent trips to Puerto Rico and implied that he had been working hard in Washington. I have now discovered that actually he was on another European junket at the taxpayers' expense during most of the Harlem race riots.

In fact, Powell was even on this junket when the civil rights bill, sometimes considered the Magna Charta of Negro freedom, was passed on July 2. He was not in Washington to vote.

Powell's official excuse for going abroad was to attend the International Labor Office meeting in Geneva. He arrived in Geneva in late June, registered at the Hotel Rhone, apparently didn't like the accommodations, and moved to another hotel. He did not meet once with the staff of the International Labor Office and did not attend a single meeting of the full conference. He did attend one dinner.

With him on the trip, expenses also paid by the taxpayers, was his beautiful secretary, Corrine Huff, first Negro to win the "Miss Ohio" contest.

While in Geneva, the dapper Congressman from Harlem bothered State Department officials with the problem of arranging tennis togs and fishing gear. He stopped in Madrid and Athens while traveling to and from Geneva, and was in Athens when the civil rights bill was passed by Congress.

My apologies to Mr. Powell for underestimating his frequent yen for travel.

Humphrey Locked Out

Only those around President Johnson knew about it, but Sen. Hubert H. Humphrey almost didn't get to deliver his acceptance speech at Atlantic City. He was locked outside the Convention Hall on the fire escape.

Just exactly how Humphrey locked himself outside is his secret. Maybe at the last moment he was reluctant to accept the nomination. Perhaps in pondering this he stepped out on the fire escape to get a breath of air, and with this weighty matter on his mind did not know there was a catch lock on the door. With a clang, it shut behind him.

When Leonard Day, the driver of Mrs. Johnson's car, discovered Humphrey's predicament, he went to Conventional Hall firemen and asked for a key to the fire door.

"Which fire door?" asked one of the firemen.

"The door where you hear all the hammering," was the reply.

March Through Ga.?

From the LBJ ranch, President Johnson and his running mate, Sen. Humphrey, placed a phone call to Georgia's Gov. Carl Sanders. They reached him at a meeting in Macon, Ga.

The President explained that he wanted Sanders's advice as to whether Humphrey should campaign in the South.

The Minnesota firebrand, who led the civil rights forces in the Senate, is not supposed to be popular in the South. But the President pointed out that Humphrey had earned the friendship and respect of Southern Senators. The Southern people would like him, too, if they got to know him better, Mr. Johnson suggested.

Gov. Sanders agreed.

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New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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this country is to take them out of the slums and teach them a skill."

More Use of Schools

Powell also listed the equal-pay-for-equal-work bill, the manpower retraining bill, and the HARYOU project, a domestic peace corps plan that gives three months' training to volunteers who then go out and work as assistant teachers with Negro juveniles.

"Mrs. Green has some excellent ideas on this," continued Powell, referring to Congresswoman Edith Green of Oregon. "She argues, 'Why not put the schools on the basis of more hours and more months? Why is it necessary to close schools after 3 p.m.? Instead of closing them let's keep them open and use them for teaching new skills.'

"Until we get hopelessness out of the horizon of teenagers, we're in trouble," continued Powell.

"We've also got to get rid of the push-out system whereby kids are automatically promoted in school whether or not they qualify. They are simply pushed out for the next teacher and the next grade to worry over.

"Finally," said Powell, "We've got to have a domestic Marshall Plan such as that proposed by Whitney Young of the Urban League."

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UPI-44
(POWELLL)

HONOLULU--REP. ADAM CLAYTON POWELL, D-N.Y., LAST NIGHT THREATENED TO "SLUG" A REPORTER WHO APPROACHED HIM IN A BAR AT THE ROYAL HAWAIIAN HOTEL TO ASK FOR AN INTERVIEW.

POWELL, ACCOMPANIED BY HIS SECRETARY, MISS C. A. HUFF, ARRIVED HERE TUESDAY NIGHT FOR TALKS WITH THE STATE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS. POWELL IS CHAIRMAN OF THE HOUSE COMMITTEE ON EDUCATION AND LABOR.

A HONOLULU REPORTER SAID HE APPROACHED THE CONGRESSMAN AS HE WAS LEAVING HIS HOTEL TO ASK ABOUT HIS HAWAIIAN VISIT BUT WAS TOLD: "NO. IT'S MY DAY OFF. THE ONLY HOLIDAY I'VE HAD."

THE REPORTER SAID HE FOUND POWELL AND HIS SECRETARY LATER IN THE BAR OF THE ROYAL HAWAIIAN HOTEL AND AGAIN ASKED FOR AN INTERVIEW:

"YOU WANT ME TO BEAT A GLASS OVER YOUR HEAD?" POWELL WAS QUOTED AS SAYING.

THE REPORTER SAID HE DECLINED THE OFFER AND THAT POWELL THEN TOLD HIM: "GET OUT BEFORE I SLUG YOU."

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Powell Asks Stress On Political Power

A-7

Associated Press

Rep. Adam C. Powell (D-NY) said yesterday that U.S. Negroes should drop their emphasis on civil rights and work for an enlarged political role on the national scene.

A Negro, Powell called for more Negro officeholders at all levels and predicted that either Michigan or Massachusetts would elect a Negro to the U.S. Senate within a few years.

At a news conference, Powell downgraded the future role of civil rights leaders and said, "the term civil rights movement should be dropped."

He said any claim of civil rights leaders that they were responsible for the outpouring of Negro votes for President Johnson on Tuesday was "totally untrue."

"It was strictly the result of Negro political leadership," he said. "They not only took their cue from political leaders but gave them a high vote of confidence."

Powell also said the fact Negro demonstrations subsided during the weeks before the election had nothing to do with the plea of civil rights leaders for such a moratorium.

"It was because of passage of the Civil Rights Act," he said. "And the demonstrations will erupt again if the act is not enforced.

"They will also erupt when Negroes outside the South realize the act does nothing for them and that they need help in the economic area."

Powell said that as chairman of the House Education and Labor Committee, he will make labor legislation his major goal in the next Congress.

Top priority, he said, will be given to seeking a $2 Federal minimum wage in place of the present $1.25 hourly rate, and to a tripling of funds for the $1 billion anti-poverty program enacted by the last Congress.

He said he would also push legislation for a shorter work week, scaling the present 40-hour week down in annual steps to a level of 32 hours. An effort will also be made, he said, to enact legislation benefiting migratory workers.

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The Washington Post and Times Herald A-7
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New York Herald Tribune
New York Journal-American
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New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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0-20 (Rev. 10-1-64)

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UPI-26
(POWELL)

NEW YORK--REP. ADAM CLAYTON POWELL, D-N.Y., FACES POSSIBLE ARREST TOMORROW IF HE SHOWS UP HERE AS USUAL TO CONDUCT CHURCH SERVICES.

POWELL, PASTOR OF THE ABYSSINIAN BAPTIST CHURCH IN HARLEM, WAS DENIED A WRIT OF PROHIBITION YESTERDAY THAT WOULD HAVE INVALIDATED A CRIMINAL WARRANT FOR HIS ARREST ANY TIME HE APPEARED IN NEW YORK. FOR MONTHS HE HAS BEEN DODGING A CIVIL WARRANT BY COMING HERE ONLY ON SUNDAY.

THE COURT ISSUED A CRIMINAL WARRANT SERVICEABLE ON SUNDAYS, WHICH POWELL HAD PETITIONED TO HAVE NULLIFIED.

SUPREME COURT JUSTICE ARTHUR G. KLEIN DENIED THE PETITION DECLARING: "HE HAS NONE BUT HIMSELF TO BLAME FOR THE FACT THAT IT IS NOW, PURSUAT TO A WARRANT, THAT HIS APPEARANCE WILL BE REQUIRED."
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Powell Loses In Bid to Stay Arrest Order

Appellate Division Justice Charles Breitel yesterday denied a move by Rep. Adam Clayton Powell for a temporary stay of a lower court ruling which turned down the Harlem Democrat's plea for a writ of prohibition against the Criminal Court.

However, Breitel told Powell's lawyers and the late Attorney General to submit papers by tomorrow on a motion for a permanent stay pending an appeal of a Supreme Court decision.

Last week, Supreme Court Justice Arthur Klein rejected Powell's motion to bar the Criminal

Rep. Adam C. Powell
He is turned down again

Court from prosecuting him on a misdemeanor charge of illegally transferring funds to avoid paying a judgement.

An arrest order was issued after Powell was found guilty of defaming Mrs. Esther James, 67-year-old Harlem widow, by calling her "a bag woman." A jury awarded her a judgment which later reduced to $46,000 by the Appellate Division.

The criminal order seeks Powell's arrest in connection with the purported transfer to his wife of $900 received for a magazine [illegible]

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12 DEC 14 1964

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News 50
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

DEC 9 1964

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The Washington Merry-Go-Round

Harlem's Missing Globe-Trotter

By Drew Pearson

Rep. Adam Clayton Powell, the Harlem globe-trotter, has set a record not only for seeing the world but also for catching fish.

Pearson

Powell recently turned up in Hawaii accompanied by his shapely secretary, Corrine Huff, former winner of the Miss Ohio beauty contest. Both attracted considerable publicity.

After that, Powell disappeared from view. When newsmen covering Capitol Hill tried to locate him recently, they could find neither the Representative nor his public relations expert, Chuck Stone.

Finally, Jack Anderson located the Congressman in Acapulco, the Mexican resort on the Pacific Coast famous for its excellent fishing. A lot of well-known people have fished there, but the Representative from Harlem set a record by snagging 13 sailfish and eight marlin.

Kindly McCormack

John W. McCormack, gaunt, gray Speaker of the House of Representatives, is a kindly man who feels the suffering of his fellow men. This is why he gave a job to Claude A. Taylor, who served time for padding the Government payroll while superintendent of the House folding room, which mails out literature, letters, and propaganda for Representatives.

Taylor has four children, and the Representative from Boston did not want to see the children go hungry.

McCormack also has a built-in compassion for fellow members of The Club, the name given to the elite powerhouse that dominates Congress. For that reason, he isn't happy about the move to challenge the seating of four Mississippi Democrats because their State violated the constitutional right of all men to vote. It excluded most of the Negro population.

So far, all of The Club and most Democratic members of Congress agree with the Speaker. However, a small group of Northern Democrats led by Rep. William Fitts Ryan of Manhattan has been arguing that the barring of the four Mississippians would be a great blessing to Speaker McCormack, to the President, and to the Democratic leadership.

Roll Call

Here are the four Mississippi Democrats involved and arguments that have been made regarding them:

Rep. William M. Colmer is a member of the House Rules Committee, has voted against Presidents Kennedy and Johnson on almost every issue. His vote, together with the Republicans and that of James J. Delaney (N.Y.), the friend of Cardinal Spellman, has tied up aid to education for four years.

Rep. Jamie L. Whitten is Chairman of the House Appropriations Subcommittee for Agriculture, with almost life and death powers over some phases of the farm program. As noted previously in this column, he once held up the Agriculture Department appropriations bill for six months while arguing with Sen. Richard B. Russell (D-Ga.) over whether a peanut laboratory should be in Mississippi or Georgia.

Rep. John Bell Williams, who deserted the Democratic ticket and campaigned for Goldwater, is No. 2 man on the Interstate and Foreign Commerce Committee, which influences the railroads, TV, radio, telephone and telegraph, oil and gas pipe lines and electric rates.

Rep. Tom Abernathy is a potent member of the Agriculture Committee and along with Williams is a member of the District of Columbia Committee. This puts two Mississippians in the position of making policy for the Capital, which is one reason the schools of Washington — 86 per cent Negro— have suffered from lack of funds.

If Rep. Ryan of New York and the other Northern Dem-

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DEC 30 1964

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

DEC 17 1964

DEC 30 1964

70 DEC 31 1964

ocrats who want to block the seating of the Mississippi Congressmen get their way, a long list of people, ranging from officials of the Agriculture Department to the residents of Washington, to most of the schoolteachers of the Nation, will be delighted.

Lame-Duck Expenses

Rep. M. G. (Gene) Snyder, the lame-duck Republican from Louisville, is losing no time trying to win back the congressional seat he lost in the November election. He has already begun his campaign for re-election, two years hence, by sending out political propaganda at the taxpayers' expense.

Snyder recently franked out a "newsletter" criticizing the increase in Federal spending and employment, the Federal food stamp program to feed impoverished people in depressed areas, and the sale of surplus wheat to Yugoslavia.

The Kentuckian counterbalanced his partisan report with a mild rebuke to five other lame-duck colleagues, who recently went on foreign junkets at government expense.

But what he didn't tell the voters back home was that his "newsletter" cost the taxpayers more than $6000 in postage and folding expenses alone, which is more than many Congressmen spend on a junket.

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INSIDE LABOR

Adam Clayton Powell, Harlem's Angry Man, Threatens
To Investigate the Federal Government Itself

By Victor Riesel

Washington, D.C. -- Harassed, sleepless and obviously losing weight, the embattled Congressman Adam Clayton Powell now is threatening to investigate many sections of the federal government itself.

In an exclusive interview with this column, the powerful Negro representative from Harlem asserted he has the power to probe even the highest echelons of President Johnson's executive departments.

Powell charged virtually all of these Cabinet departments, regulatory agencies and commissions with intentional discrimination against Negroes. He averred there was only a handful of Negroes in policy making positions in the U.S. government.

The power to probe these departments, commissions, boards and agencies, he said, springs from his virtually unknown authority over the Federal Equal Employment Opportunity Commission created by the Civil Rights Act.

Rep. Powell, already in a running series of feuds with various courts, police authorities and labor leaders, said he would use this commission for a series of public hearings.

To the witness stand, he said, snapping his words out angrily, he would bring the heads of such departments as Health, Education and Welfare, the Atomic Energy Commission and scores of board and bureau chiefs.

Powell and I talked in a San Juan hotel the other day. He had just finished a table-thumping speech at a Caribbean Conference on poverty and unemployment in Puerto Rico sponsored by the American Foundation on Automation and Employment, Inc.

Powell said he would act in the next few weeks unless many more Negroes were appointed to policy-making jobs. By this he referred to ambassadors, assistant secretaries of Cabinet officials, and membership on the regulatory agencies.

--MORE--

Powell's words are not taken lightly by the White House.

The Harlem congressman, for example, is in a strong position to bargain with the President over the poverty program. It comes up for re-authorization at hearings before the House Education and Labor Committee in April. Powell heads this committee and can hold up its authorization, or renewal, and its funds for scores of projects by delaying tactics.

His committee also controls the movement of such legislation as repeal of Sectic 14-B -- the right to work clause -- which labor wants wiped out.

Harlem's perpetually angry man can prevent the President from delivering such repeal to the labor movement, as Lyndon Johnson has pledged to do.

So he is in a strategic position to push for the appointment of Negroes to the policy-making departments and boards. Powell's threats and arguments are based on an analysis he and his staff have made of Negroes in the federal government's upper echelons.

Typical of his charges is one hurled at the Department of Health, Education, and Welfare. There is, says Powell, not a single Negro in any of the Department's 151 top positions.

He asserts that out of 110 ambassadors, two ministers and five ambassadors to special missions there are but two Negroes.

Among the top 50 Peace Corps executives, he asserts, there are two Negroes.

He finds only one Negro out of 95 members or commissioners in the 17 federal regulatory agencies. These bodies include the Federal Reserve System, Civil Aeronautics Board, Securities and Exchange Commission, Tariff Commission, Federal Maritime Commission, the Federal Power Commission, the Federal Trade Commission and the NLRB. Only the latter has a Negro member.

On the actual cabinet and sub-cabinet level there are two assistant secretaries--one in Labor and the other in the Commerce Dept.

--MORE--

Thus Powell says he has the grounds for charging the U.S. government itself with discrimination in hiring.

He says bluntly he will invoke the Federal Equal Employment Opportunity Commission against the U.S. -- though the Commission was created to look into unions and private industry.

And he says he has already personally communicated his sentiments to President Johnson.

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Sees Powell 'Feeling the Heat'

"I think that Adam is feeling the heat quite a bit," an attorney who is waging three court actions against Rep. Adam Clayton Powell said today.

Raymond Rubin, lawyer for Mrs. Esther James, was commenting on Mr. Powell's surprise visit to the city yesterday to surrender on a warrant charging him with trying to dodge payment of a $46,500 slander judgment. Mrs. James obtained the judgment because Mr. Powell on a television show called her a bag-woman for policy racketeers.

Mr. Rubin said he did not see Mr. Powell during the Congressman's appearance in Criminal Court because he was in Federal Court arguing a motion asking that the Attorney General be directed to unseat Mr. Powell from the House of Representatives.

Federal Judge Charles M. Tenney reserved decision on Mr. Rubin's motion which was based on the argument that Mr. Powell was not a resident of New York State when he was re-elected to Congress last November.

In the Criminal Court action Mr. Powell was released for a hearing April 27.

Mr. Rubin said he also is pressing a similar action against Mr. Powell in Westchester County. He said that with interest Mr. Powell owes Mrs. James $53,000.

Mr. Powell said he would be back in town Sunday to preach at his Abyssinian Baptist Church in Harlem on the topic, "The Imperishable Dreams"

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77 APR 14 1965

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American 3
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

APR 8 1965

6-19 (Nov. 12, 1964)

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The Candid Question:

Most Urge U.S. to Renew Full Relations with Cuba

(Pan-African Research Associates)

Harlem Congressman Adam Clayton Powell has said that the United States should renew full relations with Cuba and cease all economic pressure against the island nation. He asserted that America could get along just as well with Castro as with any other Communist leader.

Following this criticism of the U.S. stand, the outspoken Negro Congressman was subjected to a storm of

Adam Clayton Powell

protest from across the nation. But surprisingly, the fiery lawmaker received many letters and telegrams from black Americans who are in favor of a change in policy regarding Cuba.

Pan-African Research Associates promptly took a poll of more than 2,000 Negroes in the South and another 2,000 in the North.

THE QUESTION: Do you support or oppose Rep. Powell's call for re-establishment of diplomatic and economic ties with Cuba?

THE ANSWERS:

In the South

In Favor	51%
Opposed	19%
No Opinion	30%

Brown

Hawkins

Northern & Western States

In Favor	62%
Opposed	12%
No Opinion	26%

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The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date 4-30-65
"MUHAMMAD SPEAKS"
Page 20.

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16 MAY 25 1965
25 JUN 2 1965

MUHAMMAD SPEAKS roving photographer, George Beatty, taking a sample of opinions in the student lounge of Roosevelt Univer-

Wright Little

sity in Chicago, received these characteristic replies:

Both Have Something To Offer

Barbara Ann Motley, music education major: I agree with Powell. Both the United States and Cuba have something to offer each other. I think all governmental systems offer some good. Besides, competition with another ideology keeps a nation on its toes.

Kendal Merton, physics major: I disagree because of Cuba's hostility toward this country. We should not help Cuba in any way. The other Communist nations

Crews Merton

don't display the amount and kind of hostility Cuba does, so we can view Castro's government differently.

Jo Anne Wright, psychology major: I don't think we should do anything right now. Cuba is still sort of nasty and aggressive toward us.

Steve Hawkins, education major: I support Rep. Powell's views. We'll have to learn to live with others, even if we don't always agree with their ideology.

Lannie Little, mathematics major: I support his views. Why wait for Castro to go out? Khrushchev went out without any change in the Soviet view, so we would be foolish to think Cuba's policies will change after Castro leaves. Perhaps an open world will enable us to evolve a better government than either Democracy or Communism.

'I Support Powell'

William Crews, political science major: I support Powell's views. The economic restrictions America is imposing against Cuba is hurting a lot of people who were friendly toward the U.S. Since our policies are creating new enemies, they defeat our purpose. To reestablish relations would help create better relations all around.

Henry Brown, attorney, majoring in business administration: I feel that, at least economically, we should open our lines to Cuba. Our allies are trading with her. We must learn to accept the fact that the island of Cuba is there and has the kind of government the people apparently want. We certainly can't shut our eyes to a situation in our own backyard, so to speak. Our efforts toward supporting foes of Castro seem to have failed and the C.I.A. is doing nothing and has done nothing of note since the Bay of Pigs. Besides, I'm sure Rep. Powell has far more information to support his stand than I am aware of.

"MUHAMMAD SPEAKS
Page 20.
4-30-65

6-19 (Rev. 12-14-64)

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Letters to the Editor

Published letters are subject to condensation, and those not selected for publication will be returned only when accompanied by stamped, self-addressed envelopes. The use of pen names is limited to correspondents whose identity is known to The Star.

'Powell's Power Grab'

SIR: Your editorial, "Powell's Power Grab," associates Representative Adam Clayton Powell, but it does not discuss the issues raised by the chairman of the House Committee on Education and Labor.

Rather than examine the hearing's proceedings and the precision of Chairman Powell's questions, The Star recklessly accused him of an incredible variety of political activity.

The essence of Powell's position was simple: To what extent is Title II, Part A, Section 202 (A) (1) (3) and (4) of Public Law 88-452 (The Economic Opportunity Act of 1964) being complied with?

That section requires that a "community action program" be one "which mobilizes and utilizes resources, public or private . . . of any area" and "which is developed, conducted and administered with the maximum feasible participation of residents of the areas and members of the groups served; and which is conducted, administered or coordinated by a public or private nonprofit agency (other than a political party), or a combination thereof."

You write: "It is the best formula that anyone has been able to come up with to keep the programs out of the hands of self-serving political blocs." If that is true, why did not Sargent Shriver come out and say so during the hearings? The following question was put to him: "On page 83 of the Office of Economic Opportunity's Congressional presentation, there is a discussion of the program's 'Problems.' Under the problem, 'Politics' it is written: 'In many communities, poverty has become popular politics and struggles exist for control of local programs. If the fight for control reflects the views of the poor themselves or of representative community groups, it responds to the intent of the Congress. If it reflects a traditional political struggle, it may prove destructive to overall poverty efforts.' In light of that statement, the following question is posed: which emphasis, the community-wide 'umbrella' administration or the independent groups' administration would reduce the problem of political interference?"

The question was never answered directly by Shriver. I doubt if The Star disagrees that political interference or political control is more easily orchestrated by big city political machines than a proliferation of social welfare groups. As for the concern that the Office of Economic Opportunity would be inundated by independent groups' requests, Title II, Section 202 (a) and (b) carefully places limits on Federal assistance to such groups. The director is given wide discretion in making such grants.

Finally, your editorial states: ". . . in Puerto Rico which is the main Powell base of operations, a dissident group, also closely associated with the Congressman. . . ."

Puerto Rico is not the "main Powell base of operations" and The Star knows this to be an absurdity, and this "dissident group" — whoever it is — is not "closely associated" with the Congressman.

C. Sumner Stone, Jr.
Special Assistant to the Chairman, House Committee on Education and Labor.

100-51230-A
NOT RECORDED
16 MAY 4 1965

EX-101

The Washington Post and Times Herald
The Washington Daily News
The Evening Star A12
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date APR 26 1965

64 MAY 10 1965

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POWELL ACCOUNT IS FROZEN BY WRIT

Bank Told to Produce File on Gifts in Defamation Case

By ROBERT E. TOMASSON

An account in a Harlem bank containing donations collected to pay the $52,000 defamation judgment against Representative Adam Clayton Powell was frozen yesterday.

William R. Hudgins president of the Freedom National Bank at 271 West 125th Street was enjoined from permitting any of the account's funds from being transferred or withdrawn. He was also served with a subpoena directing him to produce all the account's records in State Supreme Court on May 20.

Mr. Hudgins declined to specify how much money had been deposited under the account name, "Harlem Justice for Powell."

The injunction and subpoena were served on the bank president by Raymond Rubin, the lawyer for Mrs. Esther James, a 68-year-old widow who has been trying unsuccessfully for more than two years to collect the judgment.

Mr. Rubin said yesterday that he had received an anonymous tip on the location of the account. He said he then called the bank and, without identifying himself, asked how he could make a contribution to the Powell fund.

"They told me to make any check payable to 'Harlem Justice for Powell' and mail it to the bank," he said.

State Law Cited

Mr. Rubin said that he then drew up the injunction and subpoena papers, went to the bank and served them on Mr. Hudgins. Under state law a lawyer has the power to serve these papers on a bank after a court judgment has been obtained.

Representative Powell was found guilty April 4, 1963, of having slandered Mrs. James by calling her a "bag woman," or gamblers' agent. He made the charge on a television program.

The jury verdict awarding damages to Mrs. James was upheld by the Court of Appeals, the state's highest tribunal, and the United States Supreme Court refused to review the case, thus ending Mr. Powell's hopes for reversal.

To pay the judgment, he said he would accept donations, and parties were held here and in Washington for that purpose. Several weeks ago he said he had raised "about $30,000 from friends."

Mr. Powell had said he would pay the judgment by the end of last month. But on April 30 he said that he would pay only if all other civil suits brought against him by Mrs. James were dropped.

This condition was rejected and Mr. Powell did not pay. Mr. Rubin will now attempt to obtain the money in the Harlem account while proceeding with the other suits.

These other civil suits, one in Westchester and one here, seek almost $500,000 in punitive damages against Mr. Powell for his alleged transfer of ownership of two houses to avoid paying the judgment.

A grand jury has also been considering the transfer charges to determine if there was any criminal violation.

District Attorney Frank S. Hogan has obtained a subpoena calling for an examination of Mr. Powell's Congressional account. Such accounts, which function as limited bank accounts, are maintained for the convenience of members of Congress.

Henry R. Williams, Mr. Powell's lawyer, was to have argued yesterday on his motion to quash the subpoena in the criminal part of State Supreme Court. However, Mr. Williams was ill and his wife conveyed his request to the court to adjourn argument for one week.

Justice Irwin D. Davidson said he would set Wednesday morning as the last opportunity for Mr. Williams either to make his argument or file papers.

Mr. Powell is under a court order to appear in the civil part of the court this morning for a pre-trial examination in the Westchester suit. Mrs. James is seeking $211,500 in this action.

If Mr. Powell fails to appear or provide a sufficient excuse, he will default and lose his right to defend himself.

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times C27
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date MAY 11 1965

REC- 19
100-51230-A
NOT RECORDED
46 MAY 17 1965
EX-116
6 MAY 27 1965

File 100-51230

8-20 (Rev. 12-14-64)

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UPI-28D
(RELEASE AT NOON, EDT)
(POWELL)

CHICAGO--HARLEM CONGRESSMAN ADAM CLAYTON POWELL TODAY OFFERED NEGROES "A BLACK POSITION PAPER." HE ADVISED THEM TO SEEK "AUDACIOUS POWER."

THE NEW YORK DEMOCRAT IN A SPEECH PREPARED FOR DELIVERY AT THE BANQUET OF THE EBENEZER MISSIONARY BAPTIST CHURCH, SAID THE TIME HAD COME TO CHANGE THE "NEGRO REVOLT" INTO A "BLACK REVOLUTION."

"WHY? BECAUSE A REVOLT IS ONLY AN INTERLUDE OF SOCIAL PROTEST, A TEMPORARY RESISTANCE OF AUTHORITY. AS THE NEGRO REVOLT WAS OUR SUNDAY OF PROTESTS, SO THE BLACK REVOLUTION MUST BECOME OUR WEEK OF PRODUCTION," SAID POWELL, WHO IS PASTOR OF THE ABYSSINIAN BAPTIST CHURCH IN NEW YORK.

"THIS CAN ONLY BE DONE BY BLACK PEOPLE SEEKING POWER -- AUDACIOUS POWER," HE SAID.

"AUDACIOUS POWER BEGINS WITH THE STAND UP AND BE COUNTED RACIAL PRIDE IN BEING BLACK AND THINKING BLACK...AUDACIOUS POWER IS THE DETERMINATION OF BLACK PEOPLE TO BE MAYORS, UNITED STATES SENATORS, PRESIDENTS OF COMPANIES, MEMBERS OF STOCK EXCHANGES; THE POWER TO DECIDE ELECTIONS AND THE CAPABILITY TO ALTER THE COURSE OF HISTORY."

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WASHINGTON CAPITAL NEWS SERVICE

6-19 (Rev. 12-14-64)

ON THE

Powell Sure Does Travel First Class

By WILLIAM F. BUCKLEY, JR.

I AM ADVISED by my conscience that I have not done my duty this season, not until I pay my respects to Adam Clayton Powell Jr. I confess that I need to drag myself to the typewriter to perform the ritual. In days gone by, when the Reverend Powell was a hero to significant members of the liberal community, it was different. I have expended, in my lifetime, as much first-class indignation on him as on anybody in the world, regardless of race, color or creed. And it was not, by the way, all that long ago that everyone agreed to hate Adam.

BUCKLEY

John F. Kennedy couldn't wait, having taken his oath of office as President of the United States, to toss a testimonial dinner for Powell, to which he dispatched no less than two Cabinet members. I have tucked away a list of the sponsors of that affair. Charity compels me to keep it under lock and key. But come at me from whatever direction, I shall be immune from the assaults of the highest princes of America: because they were there. Or most of them, anyway. And I can prove it.

The latest effrontery of Adam Powell is this. Mr. Powell has what-you-say, a way with women. A couple of years ago he took a couple of Miss America-types to Europe to investigate women's rights or Greek culture or something. Congress, of course, paid the bill.

MEANWHILE, the incumbent Mrs. Powell had been selected from among his pulchritudinous staff. She had been making $3,074 per annum. A month after their marriage, she demonstrated such superior administrative skills as to warrant a raise to $12,974. Months later, she was raised to a salary of $18,907, a salary approaching that of a congressman. Prodded by Rep. John Ashbrook, who brought up the matter involving the Reverend Powell's at-homeness with the Federal Treasury, Congress passed a resolution to the effect that any remuneration to a member of a congressman's staff may only be for services rendered either in Washington or in the congressman's home district.

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This resolution disadvantaged Mrs. Powell because she lives blissfully, steadfastly, in Puerto Rico, Rev's home-away-from-home. Congress went to the trouble of reaffirming this resolution in January of this year. Results? Zero. The checks keep going to the lady, who continues to do her duties in Puerto Rico, 1,200 miles or so away from the offices of her husband. Why doesn't Congress do something about the Reverend Powell?

WHAT DOES Mr. Powell have that other people don't have, that gives him these numinous prerogatives? I heard a liberal editor ask the editor of the Amsterdam News the question a year ago. "Adam," said Amsterdam, "has seniority. That's what he has." Indeed. He is head of one of the most important committees of Congress, whence he stalks Washington,

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The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American L-4
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

100-51230-A
NOT RECORDED
16 JUN 10 1965

JUN 6 1965

51
66 JUN 11 1965

dispensing and withholding favors. At home in Harlem, he has nothing at all to worry about. The fiercer the pressures to exorcise Congress of his presence the broader his smile.

"You know why 'they' don't like me?" he grins at his audience. "Because I travel first class." It brings down the house. "They" resent "him"—not because he is a demagogue; not because he flouts the law. But because he is uppity. And we Negroes have to stick together. The crowd goes wild with loyalty.

Responsible Negroes have tried to depose him. The streets of Harlem are littered with their bones. Martin Luther King can't, or at least doesn't, resist him. If President Kennedy could back Adam Powell, why can't they? Indeed, why not?

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0-19 (Rev. 12-14-64)

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No Whites Need Apply

That most vocal of crusaders against discrimination, Representative Adam Clayton Powell, is again preaching Jim Crowism by demanding that the office of Borough President of Manhattan be permanently staked out as the inheritance of "a black man or a black woman." He is all for equality; but for this city job on the Board of Estimate, Negroes, to Mr. Powell, are more equal than whites. Furthermore, it can't be just any Negro. No Negro is right for the job unless chosen by Mr. Powell and his political allies in Harlem; this is ghetto politics at its crudest.

The present Borough President, Mrs. Constance Baker Motley, is by Mr. Powell's description "a very fine person, and I have the utmost respect for her." But Mrs. Motley suffers from the disqualification, in his eyes, of not having been picked by him. So she must go. In fact, Mr. Powell makes it plain he believes she should not even finish out her term. Mrs. Motley has earned wide esteem for the energy, intelligence and dignity she has brought to her duties. The last thing that ought to deter her from fulfilling them is Mr. Powell's opposition.

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times M 38
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

100-51230-A
NOT RECORDED
46 JUN 23 1965

JUN 15 1965

66 JUN 20 1965
91

6-19 (Rev. 12-14-64)

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Capital Reading

Rep. Adam Clayton Powell Can Be Anything but Ignored

Reviewed by Edmond LeBreton

Mr. LeBreton covers the House of Representatives for Associated Press.

ADAM CLAYTON POWELL AND THE POLITICS OF RACE. By Neil Hickey and Ed Edwin. 308 pp. $6.50.

LIKE HIM OR NOT (AND WHO IS NEUTRAL?), Adam Clayton Powell is a public figure who can be anything but ignored and also a personality as intriguing as any now on the scene. Moreover, the life of the minister of the Abyssinian Baptist Church and United States Representative from Harlem has been spread more lavishly on more publicly available records than those of all but a few of his contemporaries.

All that is necessary to put together a book on Rep. Powell, and an absorbing one, is to assemble the record and work it into manageable form. This is, in large part, what Neil Hickey and Ed Edwin, both newsmen by training, have done with considerable journalistic skill.

Adam Clayton Powell

This is not an "inside" book, but it does not lack insight. Students of the great racial drama of this generation can learn much, for example, from the facts Hickey and Edwin assembled, with a minimum of comment, to argue that many of Rep. Powell's actions considered most outrageous by his critics were precisely those that filled great segments of his constituency with a delicious sense of identification and fulfillment.

Equally instructive is their treatment of the mistakes Rep. Powell has made both in conventional politics and in the leadership maneuvering within the Negro movement.

Their final, analytical chapter advances some interesting ideas as to why Rep. Powell did not, after all emerge as the Negro leader of our times.

DESPITE THE double title and much useful background this is primarily a work about Rep. Powell and only incidentally one about racial politics. Rep. Powell, to be sure, is enough for one book, and sometimes the minutiae of local Harlem political melees seem rather to impede the story.

But not often, because this is a story that tells itself. There are the early radicalism and the rash irruption into politics; the romances, marriages and divorces, as well as the political slugfests and the calculated defiance of presidents and party leaders; the wrangles with tax authorities and courts; the libel suit that at times kept the Congressman out of his district except on Sundays.

So, of course, are the famous plush trips, surely the most thoroughly publicized of any congressional travels.

But the book also records engagement after engagement Rep. Powell has won as spokesman for his people and does justice to his solid accomplishment as a committee chairman, once his seniority, which the House could not bring itself to override, finally elevated the Harlem maverick to the inner circle of power.

Dozens of characters crowd the pages but the spotlight never shifts long from Rep. Powell, charismatic to many, shocking to others, abrasive to not a few—and never abashed.

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

100-5/230-A
NOT RECORDED
46 JUN 23 1965
JUN 15 1965

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6-19 (Rev. 12-14-64)

Tolson
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Court Papers Powell's Door

By mail and by front door service, Rep. Adam Clayton Powell has been told to appear at 9:30 A.M. tomorrow in Supreme Court to show cause why he should not be held in contempt of court.

Rep. Adam C. Powell

Powell failed to appear a week ago yesterday for examination as a judgment debtor in the action of Mrs. Esther James to collect the remainder of a slander judgment.

Mrs. James was awarded $46,500 because Powell called her a "bag woman" for police.

In an affidavit filed yesterday with the court, Constantinos Kottsakos swore that he tried to find Powell at his Harlem apartment, 120 W. 138th St., last Friday, Saturday, Monday, Tuesday and at 7:51 A.M. yesterday. Copies of the show cause order were then taped to the apartment door and matching copies were mailed to the same address.

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The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News 10
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date AUG 12 1965

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57 AUG 23 1965

0-19 (Rev. 12-14-64)

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Suggests 500G Fine for Powell

Ray Rubin, counsel for Mrs. Esther James, 68, the Harlem widow who won a $52,000 slander judgment against Rep. Adam Clayton Powell (D- N. Y.), proposed yesterday that Powell be fined $500,000 for contempt if he continues to refuse to show up in court for examinataion as a judgment debtor.

Supreme Court Justice John L. Flynn, to whom the suggestion was made, said: "Let's come down to earth."

He directed Rubin and Henry Williams, Powell's lawyer, to submit briefs by Sept. 7 on whether Powell had been subpenaed legally. The papers were served on Powell while he was holding a Congressional hearing on a Harlem street a few weeks ago.

Mrs. James has collected $10,115 and has $33,000 owed to her.

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

100-51230-4
NOT RECORDED
170 AUG 27 1965

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70 AUG 31 1965

0-19 (Rev. 3-4-66)

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Day of Reckoning

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At long last the House of Representatives seems to be coming to grips with Representative Adam Clayton Powell.

The House Education and Labor Committee is to be the scene today of a declaration of independence from the chairman by some of its members. We trust they will prove to be a majority and will be able to curtail the powers of Mr. Powell, who has long operated the committee, its staff and its funds almost as a personal fief.

Another House committee is now to investigate Mr. Powell's frequently criticized use of public funds, including $250,000 for a staff investigation the results of which were never made available even to committee members, and the expenditure of over $20,000 for the salary of Mr. Powell's estranged wife, who lives in Puerto Rico, where she does no visible work for the committee, and who, furthermore, says she is not receiving the money being paid out. These items, as well as the extravagant travel expenses charged for Mr. Powell and his staff, demand a thorough public airing.

As usual, Mr. Powell's reaction to the charges against him is to hide behind the shield of "racism." The support mustered for him by 250 Harlem leaders, including many of the most distinguished, was disheartening and supremely ironic. They must know that far from being persecuted because he is a Negro, Mr. Powell has actually been protected by that fact. They must realize that his utter irresponsibility has only tarnished the image of the Negro aspiring to high elective office. They must recognize that Mr. Powell's misuse of his authority has long cried out for the committee rebellion today, and his wanton use of public funds has long called for investigation. If he is not the first Congressman to try the nation's and his colleagues' patience, neither is he the first to face the consequences.

The one current anti-Powell move that at the moment is premature is the censure proposal initiated by Representative Andrews of Alabama. This should be put off at least until the House subcommittee reports its findings. And while Mr. Powell's tortuous evasion of payment of a defamation judgment made against him more than three years ago does indeed damage the prestige of Congress, it remains the province of the courts, where Mr. Powell won another last-minute reprieve yesterday.

After the subcommittee's inquiry is completed, it will be time enough for the House to decide what further action, if any, is required to preserve its integrity and the good name of Congress.

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NOT RECORDED
184 SEP 28 1966

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times 46
New York World Journal
New York World Journal Tribune 1
The Baltimore Sun 1
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

59 OCT 3 1966

SEP 22 1966

6-30 (Rev. 1-28-66)

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UPI-162
(POWELL)

NEW YORK--THE APPELLATE DIVISION RULED TODAY THAT CONGRESSMAN ADAM CLAYTON POWELL MUST STAND TRIAL ON CRIMINAL CONTEMPT CHARGES BECAUSE HE IGNORED A $160,000 DEFAMATION JUDGMENT AGAINST HIM.

ATTORNEYS FOR THE NEGRO DEMOCRAT LAST THURSDAY HAD ASKED THE CASE BE THROWN OUT OF COURT BECAUSE POWELL ALLEGEDLY HAD NEVER BEEN PROPERLY SERVED WITH PAPERS IN THE CASE.

IF POWELL IS FOUND GUILTY OF THE CONTEMPT CHARGES, HE COULD RECEIVE UP TO 30 DAYS IN JAIL AND A $250 FINE ON EACH OF FIVE COUNTS HE IGNORED SUBPOENAS ORDERING HIM TO PAY THE LIBEL AWARD, OR TO SUBMIT TO FINANCIAL EXAMINATION OF HIS ABILITY TO PAY.

POWELL WAS FOUND GUILTY THREE YEARS AGO OF LIBELING MRS. ESTHER JAMES BY CALLING HER, ON A TELEVISED PROGRAM, "A BAG WOMAN" WHO COLLECTED GRAFT.

THE CONGRESSMAN'S CASE HAS BEEN IN AND OUT OF COURTS EVER SINCE, AS THE WOMAN HAS TRIED UNSUCCESSFULLY TO HAVE HIM COMPLY WITH THE FINANCIAL TERMS OF THE LIBEL VERDICT.

POWELL ALLEGEDLY FAILED TO APPEAR IN COURT LAST THURSDAY BECAUSE HE WAS FIGHTING TO RETAIN HIS POWER BASE AS CHAIRMAN OF THE HOUSE EDUCATION AND LABOR COMMITTEE. FELLOW MEMBERS VOTED TO SUBSTANTIALLY REDUCE HIS POWER IN THE COMMITTEE.

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184 SEP 30 1966

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WASHINGTON CAPITAL NEWS SERVICE

8-19 (Rev. 5-4-66)

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AUDIT UNDER WAY ON POWELL FUNDS

House Investigating Panel Will Employ Lawyer

By JOSEPH A. LOFTUS
Special to The New York Times

WASHINGTON, Sept. 26—A House subcommittee investigating the accounts of Representative Adam Clayton Powell said today that an audit was under way and that counsel would be hired.

The inquiry, however, is not likely to be completed before Congress adjourns — assuming that adjournment comes around Oct. 15.

The administration subcommittee could issue a report after adjournment, but it would have no automatic standing before the new House in January. History is stacked against the possibility that one Congress would censure a member of something that hapuened in an earlier Congress.

The history of the House shows only 16 cases of censure, and George B. Galloway, who wrote a history of the House in 1961 said:

"In general the House has been dubious of its power to punish members for offenses committed before their election."

An election will intervene before the new Congress convenes.

Representative Wayne L. Hays, Democrat, of Ohio who is chairman of the investigating group, said after an organization meeting:

"I'm very practical. The way this thing looks now, I don't think we can have an audit in three weeks."

The audit now is limited to the Manhattan Democrat's financial responsibility as chairman of the Education and Labor Committee. The committee relieved him of much of his power last Thursday.

Mr. Hays said he did not contemplate public hearings now. Also, he said he had no plans to inquire into Mr. Powell's office payroll, as distinct from the committee expenditures, although he said he was not definitely excluding anything.

Mr. Powell's wife, Yvette, is on his office payroll at $20,058 a year, not on the committee payroll. The complaints before the subcommittee, Mr. Hays said, have come from members and they concern the committee.

He mentioned "the rapid rotation of employes, most of whom the members have never seen." He added that "We have had some evidence that there has been an awful lot of trips to Miami. We are going to look at the payrolls and see if they [the employes] have done any work for money received.

Mr. Hays, who said last week he could finish the inquiry before adjournment, said today he had to revise his timetable because "I did not realize the immensity of the project and the number of vouchers that have to be examined."

He said he did not know whether the subcommittee had subpoena authority but that if it is needed "I am sure we can get it."

Answering a question, Mr. Hays said "if the law's been violated we can recommend discipline, sure."

Referring the House action involving the committee, Mr. Hays said:

"Part of the trouble, seems to be that we were too generous in giving this committee money. If so, we'll set down some guidelines for the future."

The Education and Labor Committee had appropriations aggregating $1,150,000 since January, 1965.

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The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times 28
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

100-51230 A
NOT RECORDED
184 SEP 30 1966

151
53 OCT 3 1966

SEP 27 1966

0-19 (Rev. 5-4-66)

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Watchdog Unit Asks Audit of Powell's Committee Funds

A-5

United Press International

A new House watchdog subcommittee ordered an audit of Chairman Adam Clayton Powell's Education and Labor Committee Books yesterday but stayed clear of an investigation of Powell's congressional office.

The subcommittee, under Rep. Wayne Hays (D-Ohio), also voted to hire a lawyer to help in its investigation of complaints about the New York Negro Democrat's handling of about $164,000 in Committee funds.

Hays told newsmen after a closed meeting that there was no decision to look into the payroll and personnel practices of Powell's congressional office. He said there had been complaints by members, whom he would not identify, about the Committee, but only "hearsay" about the Congressman's personal staff.

The "hearsay" reference was to published reports that Powell's wife, Yvette, a $20,000-a-year aide, had told friends she was not getting her paycheck at her home in Puerto Rico. Powell subsequently told newsmen that his wife's check was being deposited in his account, from which he was paying her bills.

Hays said his subcommittee would go into Powell's own staff if it thought such an inquiry was justified, "but we would prefer" to proceed on specific complaints.

Hays said there were no complaints about other committees before his group, and "we're not soliciting them."

Hays said the audit of the Committee books would be conducted by the General Accounting Office, and might take some time because of the many vouchers that have to be checked out.

Hays' subcommittee has been in charge of supervising contracts between the House and outside organizations and consultants.

With its new watchdog role, it has been expanded from three men—Hays and Reps. William Dickinson (R-Ala.), and Joe D. Waggonner (D-La.)—to six, with Reps. Samuel Devine (R-Ohio), Paul Jones (D-Mo.) and probably Rep. Frank Thompson (D-N.J.) added.

Powell Trial Ordered On Contempt Charge

NEW YORK, Sept. 26 (AP) Rep. Adam Clayton Powell (D-N.Y.) today was ordered to stand trial on criminal contempt charges in connection with a $160,000 libel suit he lost three years ago.

The Appellate Division of State Supreme Court upheld Supreme Court Justice Irving H. Saypol, who cited Powell for contempt last Aug. 12 for evading court orders to pay the judgment.

Powell libeled a Harlem widow, Esther James, in 1960 on a television program when he called her a "bag woman," or graft collector, for the Police Department.

[If Powell is found guilty of the contempt charges, he could receive up to 30 days in jail and a $250 fine on each of five counts, United Press International reported.]

NOT RECORDED
199 OCT 5 1966

The Washington Post and Times Herald A-5
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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Powell Convicted of Civil Contempt

NEW YORK, Oct. 4 (UPI) — Rep. Adam Clayton Powell (D., N.Y.) was found guilty of civil contempt of court yesterday in connection with a long litigated defamation judgment against him.

The Harlem congressman also faces jury trial for criminal contempt alleging his wilfull defiance of the court in refusing to pay the judgment totaling $164,000 won by an elderly cleaning woman defamed by him six years ago.

State Supreme Court Justice Harry B. Frank, in citing Mr. Powell for civil contempt, said the congressman had engaged in "relentless defiance" of efforts to get him to pay the award.

The Washington Post and Times Herald
The Washington Daily News 2
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
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Powell Is Held in Civil Contempt

A-8

New York Daily News Service

NEW YORK, Oct. 3 — Rep. Adam Clayton Powell (D-N.Y.) was held in civil contempt by Supreme Court Justice Harry B. Frank today and ordered to appear in court Friday in his long-hanging defamation litigation or face arrest.

The Harlem Democrat must appear at 10 a.m. Friday for a financial examination into his ability to pay $164,000, awarded to Harlem widow Esther James.

At the same time Friday, Powell must pay up $606 in counsel and other fees, Frank ruled.

If Powell does not appear, an arrest order will be issued, the Justice said.

In a blistering ruling, the jurist found Powell "has persisted in his relentless defiance designed to frustrate and impede in lawful collection of her judgment."

The Washington Post and Times Herald A-8
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
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Jury Finds Rep. Powell In Contempt

Lawmaker Is Held Five-Time Evader Of Court Orders

By John J. Goldman
Los Angeles Times

NEW YORK, Oct. 10 Rep. Adam Clayton Powell Jr., perhaps the most elusive defendant in modern U.S. legal history, was found guilty by a New York State Supreme Court jury today of criminal contempt of court.

The flamboyant Harlem Congressman who, along with a team of lawyers, boycotted his own trial, could be sentenced to as much as 150 days in jail. Being found guilty of criminal contempt strips away Powell's constitutional immunity from arrest while Congress is in session.

An all-white jury of nine men and three women took one hour to unanimously find Powell guilty on all five counts of willfully disobeying subpoenas and court orders to produce his financial records. The Democratic legislator could be sentenced to 30 days in prison and fined $250 on each count.

Powell and his lawyers, in staying away from the trial, charged that the Supreme Court had no jurisdiction over his case. Meanwhile, Justice Matthew M. Levy refused to answer any questions about imposing sentence until he rules next week on the jurisdictional questions.

One thing was certain: Powell will appeal the jury's decision. Henry H. Williams, the Congressman's chief defense lawyer, said: "Appealing is a must."

Retorted Raymond Rubin, lawyer for plaintiff Esther James:

"The Dodgers lost 4-0. We won 5-0."

The jury's decision is a major milestone along the thorny and twisted legal road of James vs. Powell, one of the longest and strangest defamation of character suits in American court history.

The verdict is an outgrowth of Powell's refusal to pay $164,000 to Mrs. James, a 69-year-old constituent in his district.

Six years ago on a television program, Powell called Mrs. James " a bag woman for the Police Department." A bag woman delivers payoffs from gamblers to dishonest policemen.

In 1963, another all-white jury awarded Mrs. James $211,500 in damages, which has since been reduced to $164,000.

Heard by 30 Judges

Since then, more than 30 judges have heard parts of the case as Mrs. James has pursued Powell from court to court seeking payment.

Powell was specifically charged with willfully violating Supreme Court orders on Sept. 20, 1963; May 1 and 22, 1964, and Nov. 24 and December 16, 1963.

"Are we going to permit the courts not to function by someone literally thumbing his nose at the courts?" Rubin asked the jury.

There is no legislative immunity for criminal contempt.

The question of arrest, however, is clouded and complicated.

To extradite Powell from the District of Columbia, a request would first have to go from Manhattan District Attorney Frank S. Hogan to Gov. Nelson A. Rockefeller of New York.

The Governor's office would then petition Matthew McGuire, Chief Judge of the U.S. District Court for the District of Columbia.

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The Washington Post and Times Herald A-1
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

What effect Powell's arrest would have on Harlem voters in this election year, is uncertain.

However, Powell's appeal and the legal motions leading up to it could put any question of his arrest off past November's election day.

The trial boycott by Powell and his lawyers was based on their contention that the State Supreme Court has no jurisdiction over the case, because papers submitted by Rubin do not spell out criminal contempt.

The Congressman and his lawyers believe their presence in the courtroom might be interpreted by appeals justices as acceptance of the trial's legality.

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Appeals Court Decrees Jail Term for Powell

NEW YORK (AP)—The state appellate division has found Rep. Adam Clayton Powell, D-N.Y., guilty of willful failure to comply with a lower court order in a longstanding libel judgment and sentenced him to 30 days in jail and $250 fine.

The court yesterday overruled, 4-1, a Sept. 9 decision by State Supreme Court Justice Sidney Fine. He had found the Harlem Democratic leader not guilty of willful failure to appear before the court to give an accounting of his finances.

The majority decision of the court, the state's second highest, spoke of the "long and ugly record in this matter" and added:

"This failure to obey (a subpoena) is consistent with the defendant's cynical refusal to honor his own promises together with a total disregard of any and all process that has been served against him."

The court gave Powell until Nov. 3 to appear before it and submit to a financial examination to purge himself of the contempt conviction.

It was the third civil contempt finding against Powell in connection with a $164,000 libel judgment won by Mrs. Esther James, a Harlem widow who Powell three years ago described on a television program as a "bag woman," or police graft collector.

Two earlier arrest orders are out against Powell for civil contempt, but they do not specify a sentence.

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star A-1
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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Rep. Powell Sentenced To 30-Day Jail Term

NEW YORK (AP) — A New York Supreme Court justice today found Rep. Adam Clayton Powell, D-N.Y., guilty of two counts of criminal contempt and ordered that he serve 30 days in jail.

Justice Matthew M. Levy said the order for Powell's arrest would not be issued until after the election next Tuesday.

Unlike the contempt citations issued against Powell, the criminal order can be served outside New York state.

Levy ordered Powell to pay a $250 fine and serve a 30-day jail sentence on each of the two counts. The jail sentencies would run concurrently.

The order stems from a $140,000 libel judgment against the Harlem Democrat.

Powell was not in court, but he was represented by five attorneys. They declined to discuss the matter of punishment before Levy.

Justice Levy threw out three other counts, based on the service of subpoenas on Powell, saying the appellate division had ruled that these were punishable only by civil contempt.

Powell had been adjudged guilty of willful contempt of a Supreme Court jury on Oct. 10 for his failure to appear in court on five occasions in connection with the defamation judgment obtained by Mrs. Esther James.

Mrs. James, a 68-year-old widow, who lives in Powell's 18th Congressional District, was awarded the judgment by a jury after Powell called her a "bag woman," a collector of graft for corrupt policemen, on a 1961 television program.

Levy said he was limiting his punishment to Powell's having "flamboyantly flouted" two court orders on May 1, 1964, and on Nov. 24, 1965.

In his bench ruling, Levy quoted at length from rulings and statements by his colleagues and the appellate division on 16 occasions.

He recalled that on one occasion the court had said Powell's conduct "promotes tragic disrespect of the judiciary as a whole."

Other quotations charged Powell with "blatant cynicism," "monstrous defiance of the [illegible] process."

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The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star A-1
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date 11-5-66

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Dr. King to Preach At Powell's Church For 157-Year Fete

WASHINGTON, Nov. 8 (AP) — Representative Adam Clayton Powell announced today that Dr. Martin Lutser King Jr., would preach twice at the Abyssinian Baptist Church in Harlem next Sunday, when the church observes its 157th anniversary.

Mr. Powell, a Democrat and pastor of the church, described the civil rights leader and Nobel Peace Prize winner as "my beloved friend" and continued:

"I have said many times that Reverend King is the greatest living American, black or white. He is, however, more than that. He is a humanitarian and citizen of the world who has made the entire globe his pastorate —

"Abyssinian is honored by the presence of America's laureate of peace . . . I am happy that an old and dear friend will bring special luster to this great occasion."

Praised in 1963

These sounded like sentiments Mr. Powell expressed about Dr. King in September, 1963, when he called him "The No. 1 man . . . in the United States" and "the sun around which the [black] revolution revolves."

However, after the Harlem riots in July, 1964, Mr. Powell was critical of Dr. King's visit to the Negro area, saying that he went to city officials and ignored Harlem leaders.

Last summer, when Dr. King was visiting a series of Northern cities where the civil rights leader felt there was a leadership vacuum, Mr. Powell advised him not to visit Harlem. "I told him we've got leadership in Harlem," Mr. Powell said, although aides later said this was not intended as a criticism of Dr. King.

For the last several months, the Congressman has had no public comment on Dr. King.

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NOT RECORDED
126 NOV 15 1965

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times 75
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date 11/9/65

File 100-106670-A

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Powell Cancels Negro Parley

Washington, Nov. 14 (UPI)—Rep. Adam Clayton Powell (D-N.Y.) canceled a proposed Thanksgiving weekend "black power" national conference and withdrew as its "sole convener," his office disclosed today. In a letter to about 500 potential delegates Powell said: "The growth and development of 'black power' will stagnate as long as only one man is responsible for the organizing thrust."

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The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News 14
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date

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UPI-63
(POWELL)

NEW YORK--REP. ADAM CLAYTON POWELL, D-N.Y., TODAY WAS ORDERED TO REPORT NEXT WEDNESDAY TO BEGIN SERVING A 30-DAY JAIL SENTENCE FOR CRIMINAL CONTEMPT OF COURT, ARISING FROM HIS FAILURE TO PAY A $164,000 LIBEL JUDGMENT.

SUPREME COURT JUSTICE MATTHEW M. LEVY SIGNED THE ORDER FOR THE ARREST OF THE CONTROVERSIAL CONGRESSMAN, DEPRIVING POWELL OF HIS CONGRESSIONAL IMMUNITY AND THE LEGAL LOOPHOLE WHICH HERETOFORE HAD MADE LAW OFFICIALS POWERLESS TO ARREST HIM ON SUNDAYS.

THE ORDER INSTRUCTED POWELL BE SERVED WITH THE ORDER PERSONALLY, OR BY REGISTERED MAIL, AT HIS HOME IN MANHATTAN; AT HIS WASHINGTON, D.C., OFFICE, OR AT "HIS ABODE IN BIMINI, IN THE BAHAMAS," WHERE POWELL IS REPORTED TO BE NOW.

POWELL'S ATTORNEY, HENRY R. WILLIAMS PREVIOUSLY FILED A MOTION BEFORE THE APPELLATE DIVISION OF SUPREME COURT, TO BE HEARD NOV. 22, SEEKING A STAY IN THE IMPOSITION OF SENTENCE ON THE GROUNDS LEVY LACKED JURISDICTION TO TRY POWELL FOR CRIMINAL CONTEMPT.

POWELL HAS EVADED PAYING THE LIBEL JUDGMENT FOR MORE THAN THREE YEARS. HE WAS CONVICTED OF REFERRING TO MRS. ESTHER JAMES, A HARLEM WIDOW, AS A "BAG WOMAN," OR A COLLECTOR OF GRAFT FOR CROOKED POLICE OFFICERS.

PREVIOUSLY, SINCE THE LIBEL SUIT WAS A CIVIL JUDGMENT, POWELL HAD ENJOYED CONGRESSIONAL IMMUNITY. ALSO, SINCE CIVIL CONTEMPT PAPERS CANNOT BE SERVED ON SUNDAYS, THE ONLY TIME POWELL IS IN NEW YORK CITY, HE WAS PROTECTED FROM ARREST.

BUT A SUPREME COURT JURY LAST MONTH FOUND POWELL WAS GUILTY OF CRIMINAL CONTEMPT FOR FAILING TO APPEAR IN COURT IN CONNECTION WITH A HEARING INTO HIS FINANCIAL ABILITY TO PAY THE JUDGMENT. LEVY PASSED SENTENCE OF 30 DAYS IN PRISON AND $500 FINE ON THE CONTEMPT CHARGES.

POWELL, AN ORDAINED BAPTIST MINISTER, PREACHES EVERY SUNDAY AT THE ABYSSINIAN BAPTIST CHURCH IN HARLEM, WHERE HE HAS BEEN PASTOR FOR 38 YEARS.

HE APPEARED IN HIS MINISTERIAL ROBES LAST SUNDAY, TO THE SURPRISE OF MANY OF HIS PARISHIONERS WHO BELIEVED POWELL WOULD BE ARRESTED WHEN HE RETURNED TO NEW YORK. BUT IT TURNED OUT THAT LEVY HAD NOT SIGNED THE ORDER FOR HIS ARREST ON THE CRIMINAL CHARGES, A FACT POWELL KNEW BEFORE HE RETURNED.

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A SPOKESMAN IN THE MANHATTAN DISTRICT ATTORNEY'S OFFICE SAID IT WAS DOUBTFUL THAT THE CRIMINAL CONTEMPT ORDER EXTENDS TO THE EXTRADITION OF POWELL, ALTHOUGH ATTORNEYS FOR MRS. JAMES SAID THEY WOULD ASK POWELL'S EXTRADITION IF HE AVOIDS RETURNING TO NEW YORK CITY.

IN A CRIMINAL CASE, A DEFENDANT CAN BE EXTRADITED, BUT WHETHER POWELL WOULD BE SUBJECT TO SUCH A PROCEDURE, WHICH REQUIRES APPROVAL FROM GOV. NELSON A. ROCKEFELLER, WAS QUESTIONABLE.

LEGAL SOURCES INDICATED ONE SURE WAY OF BRINGING POWELL TO NEW YORK CITY WOULD BE TO HAVE A FEDERAL BENCH WARRANT ISSUED FOR HIS ARREST THROUGH THE FEDERAL BUREAU OF INVESTIGATION, ON GROUNDS POWELL IS A FUGITIVE FROM JUSTICE TO ESCAPE PUNISHMENT.

LEVY'S ORDER PROVIDES FOR AN ADDITIONAL 60-DAY JAIL TERM FOR POWELL IF THE $500 FINE IS NOT PAID.

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CORE Solvent Despite Talk of Bankruptcy: McKissick

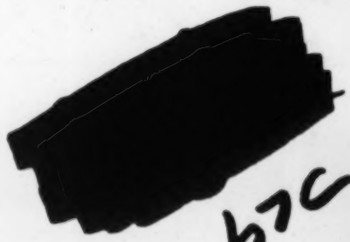
NEW YORK—"Rumors of our death have been greatly exaggerated," said Floyd B. McKissick, executive director of the Congress of Racial Equality (CORE), as he met with the organization's creditors to settle debts.

McKissick

HE DENIED the group faces bankruptcy, although it seeks to pay off its bills at 25 cents on the dollar.

"We can operate on our income, but we can't manage to pay off our creditors as fast as we would want to," McKissick added.

The high cost of demonstrations has tied up close to $300,000 in bail bonds in the South, the noted civil rights leader pointed out. "Our current income of some $26,000 a month about equals our expenses."



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MUHAMMAD SPEAKS
Page 4

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date 11/18/66

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No 'Backlash' on Powell

NEW YORK — Strong efforts by the "white backlash" to cripple Harlem congressional Representative, A. Clayton Powell with court harassment and a warrant for his arrest for "criminal contempt," were squashed by black residents here.

ALTHOUGH POWELL was absent from his district on election night Negroes went to the polls in the 18th District here and gave him a resounding vote of confidence.

The reelection of Powell, although played down by the general white press is a significant development and answer from black voters who have refused to go along with ostracization of their militant black representatives.

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7 DEC 5 1966

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Adam's Tribulations

Rep. Adam Clayton Powell's troubles continue to pyramid, but apparently he couldn't care less.

He could have avoided the complications—the intensifying rain of juridical damage awards, contempt citations and arrest orders—by settling out of court with the Harlem widow he had defamed.

Failing that, he could have paid the damage award when it became obvious that legal moves to upset it would be futile.

But no. The electric eel from the 18th district played it his way—the nonchalant, brush-off way.

Whether he'll show up Wednesday to be arrested and jugged for 30 days is the latest poser—but, in view of his track record, not really much of a poser.

Somewhere in this charade is a principle—and a question that others besides A. C. Powell will have to answer: How long can this member of Congress and man of the cloth—this man of sorrily misdirected talents—get away with his mockery of moral and legal obligation?

Assuming Powell survives a pending law suit to disqualify him as a nonresident, the foregoing question will confront Powell's colleagues in Congress. They are the arbiters of who is and who isn't fit to sit among them.

To be sure, they are always loath to disqualify a brother—but there comes a time when clubbiness must yield to integrity. There is no escaping the consequence that, when a congressman demeans himself and his office, he also demeans Congress.

And let no one, especially Powell himself, try to duck retribution by raising the spurious issue of race.

Race figures in it only to this extent: If Powell were Caucasian, his charmed political life would have expired long, long ago.

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune 35
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

100-51230-A-
NOT RECORDED
102 DEC 1 1966

NOV 20 1966

7 DEC 5 1966

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6-19 (Rev. 5-6-66)

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Gibbons Plays It Cool

'Powell Pulled Down Congress'

By WILLIAM STEIF
Scripps-Howard Staff Writer

The man who cut Rep. Adam Clayton Powell (D., N.Y.) down to size in the last Congress is playing it cool as to his plans on Powell in the next Congress.

Rep. Sam. M. Gibbons (D., Fla.) has been reported ready to challenge Powell's seating when the 90th Congress convenes in January.

But Rep. Gibbons said today that would depend on "what action the Hays Committee takes."

TAXPAYER FUNDS

Rep. Wayne L. Hays (D., O.) was named in late September to head a special sub-committee to look into Powell's use of taxpayer funds for staff salaries, personal travel and other expenses.

Rep. Hays is in Paris on a Congressional junket and won't return until Nov. 30. Neither an investigator nor a counsel has been named for his inquiry.

Rep. Gibbons led the "revolt" which in September loosened Powell's grip on the House Education and Labor Committee. The 45 year old Tampa lawyer returned here yesterday from a vacation in his district.

"I'm not running away from a fight," he said. "By his actions, Powell has pulled down the reputation of Congress.

"But I haven't made a decision on challenging his seating. Perhaps I did all I should in fulfilling a member's responsibility last September."

Rep. Gibbons has set no timetable for deciding whether he'll challenge Powell, who easily was re-elected to a 12th term Nov. 8. Earlier this week, a New York judge sentenced the Harlem Congressman to 30 days in jail and a $500 fine for "criminal contempt." Powell, who is in the Bahamas, was ordered to start his term next Wednesday.

This was the fourth contempt citation against Powell. All grew from his refusal to pay a $164,000 libel judgment.

Altho the last of Powell's convictions was on a "criminal contempt" charge, that charge was brought under a civil statute in New York. And attorneys are divided on whether Powell can be extradited under terms of that statute. It was reported yesterday, however, that New York's district attorney was considering a further action against Powell.

If Powell were challenged when the House meets, he would have to stand aside while the rest of the members take the oath of office. Any member could call for a roll call vote on the challenge.

Rep. Gibbons said a challenge was "very serious." Generally, he feels "the voters are supposed to take care of these matters and in most districts do."

The Washington Post and Times Herald
The Washington Daily News 18
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date NOV 21 1966

100-51230-A-
NOT RECORDED
102 DEC 1 1966

360
7 DEC 5 1966

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0-19 (Rev. 9-15-66)

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Powell Makes Plea To Appeals Court To Bar Jail Term

The lawyer for Representative Adam Clayton Powell argued yesterday before the Court of Appeals, the state's highest court, for a reversal of one of four jail sentences pending against the Manhattan Democrat for contempt of court.

All of the sentences, which Mr. Powell has avoided by staying out of the state, pertain to violations of court orders to pay a $164,000 judgment to a Harlem widow, who sued him for defamation of character by saying on television that she collected bribes for corrupt police.

The seven judges of the court, which sits in Albany, reserved decision on an appeal by Henry R. Williams, Mr. Powell's lawyer, to reverse a 4-1 ruling of the Appellate Division sentencing the Representative to 30 days in jail for defying a subpoena.

The three other jail sentences, which total maximum terms of a year and 30 days, relate to other subpoenas and court orders that were ignored by Mr. Powell since a jury found him guilty of defamation in April, 1963.

On Nov. 1, Mr. Williams signed a stipulation on behalf of Mr. Powell that the Representative would surrender for the 30-day jail sentence if the Court of Appeals upheld the sentence. One of the other jail sentences pertains to a similar pledge Mr. Powell had made, but refused to honor.

In Federal Court here today, a hearing will be held on a charge by Lassen Walsh, Mr. Powell's defeated Republican opponent in the last election, that the Representative was not a New York inhabitant and was not eligible to hold office.

Also this morning, the Appellate Division will consider an attempt by Mr. Powell to block another of the jail sentences.

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times 47
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date NOV 30 1966

100-51230-A
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102- NOV 29 1966

0-19 (Rev. 9-15-66)

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Powell Absent As Date to Go To Jail Arrives

NEW YORK (AP)—A court order requiring Rep. Adam Clayton Powell to surrender for a 30-day jail sentence comes due today, but the Harlem congressman was expected to ignore it as he has ignored directives in three other contempt-of-court convictions.

Powell, who won election two weeks ago to his 12th term, was reported sailing in the Bahamas aboard his yacht, Adam's Folly. There was no indication he would appear at the State Supreme Court hearing.

The jail term is based on Powell's criminal contempt-of-court conviction developing from a $164,000 libel judgment against him. The congressman was found guilty of "wilfully" refusing to submit to a financial examination in the case.

Attorneys Appeal

Attorneys for Powell appealed the conviction yesterday on the grounds the State Supreme Court went beyond its jurisdiction in trying him for criminal contempt, but the appellate division reserved decision.

If Powell were to surrender he could be jailed for an additional year and 30 days on three other convictions, all for civil contempt of court.

Powell has avoided arrest in the cases by staying out of the state, where the orders cannot be enforced.

One Case Dismissed

The Democratic congressman had one less problem, though, after a federal court judge dismissed yesterday a rival Republican candidate's attempt to deny him certification of re-election.

Judge Dudley Bonsal said his court had no jurisdiction to rule on a charge by Lassen L. Walsh that Powell is not a New York resident and, therefore, ineligible to represent his congressional district.

The defamation of character judgment stems from a 1960 television appearance during which Powell called Esther James, 68, an intermediary for high payoffs to corrupt police.

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star A-2
New York Daily News
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal 1
The National Observer 1
People's World
Date

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UPI-63
(POWELL)
NEW YORK--REP. ADAM CLAYTON POWELL, D-N.Y., TODAY DEFIED A STATE SUPREME COURT ORDER TO SURRENDER AND BEGIN SERVING A 30-DAY JAIL SENTENCE FOR CRIMINAL CONTEMPT OF COURT.

THE CLERK OF SUPREME COURT CALLED OUT POWELL'S NAME TWICE AT 10:30 A.M. EST AND ONCE MORE AT 11 A.M. BUT NEITHER POWELL NOR HIS ATTORNEYS WAS PRESENT TO ANSWER.

THE CLERK THEN NOTED THAT THE HARLEM CONGRESSMAN DEFAULTED ON THE ORDER.

POWELL NOW FACES AN ADDITIONAL 30-DAY TERM FOR IGNORING THE COURT ORDER.

POWELL, BELIEVED TO BE IN THE BAHAMAS, WAS SENTENCED TO THE ORIGINAL 30-DAY TERM UPON BEING FOUND GUILTY OF CRIMINAL CONTEMPT FOR HIS REFUSAL TO PAY A $164,000 DEFAMATION JUDGMENT TO A HARLEM WIDOW, MRS. ESTHR JAMES, HE HAD CALLED A "BAG WOMAN"--OR GRAFT COLLECTOR--FOR CROOKED POLICE.

THE NEXT MOVE IN THE TANGLED CASE IS THE ISSUANCE OF A WARRANT FOR POWELL'S ARREST. WHETHER IT WILL BE SERVED MAY BE ACADEMIC SINCE THE WARRANT WILL BE GOOD ONLY IN NEW YORK STATE AND POWELL APPARENTLY HAS STOPPED COMING TO THE STATE.

HOWEVER, IT IS POSSIBLE THE DISTRICT ATTORNEY COULD SEEK AN INDICTMENT AGAINST POWELL AS A FUGITIVE FROM JUSTICE. IN THAT EVENT, THE FEDERAL BUREAU OF INVESTIGATION COULD BE CALLED INTO THE CASE AND HAVE POWELL ARRESTED ANYWHERE IN THE UNITED STATES.

POWELL HAS FAILED TO KEEP SIMILAR COURT-ORDERED APPOINTMENTS IN THE PAST. IN FACT, HE FACES FOUR JAIL SENTENCES TOTALING ONE YEAR AND 60 DAYS STEMMING FROM HIS REFUSAL TO PAY THE DEFAMATION JUDGMENT.

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-18
(POWELL)

NEW YORK--REP. ADAM CLAYTON POWELL, D-N.Y., WAS ORDERED TO SURRENDER TODAY TO BEGIN SERVING A 30-DAY JAIL SENTENCE FOR CONTEMPT OF COURT. THE BETTING WAS THAT POWELL WOULD NOT SHOW.

POWELL HAS FAILED TO KEEP SIMILAR COURT-ORDERED APPOINTMENTS IN THE PAST. IN FACT, POWELL FACES FOUR JAIL SENTENCES TOTALING A YEAR AND 60 DAYS -- ALL STEMMING FROM HIS REFUSAL TO PAY A $164,000 JUDGMENT FOR LIBELING A HARLEM WIDOW, MRS. ESTHER JAMES.

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WASHINGTON CAPITAL NEWS SERVICE

0-19 (Rev. 9-15-66)

Court Rejects Suit To Unseat Powell As a Nonresident

By ROBERT E. TOMASSON

Federal Court Judge Dudley B. Bonsal dismissed yesterday a suit that challenged Representative Adam Clayton Powell's right to hold office. The suit argued that Representative Powell was not an inhabitant of New York, as required by the Federal Constitution.

"I think," Judge Bonsal said, from the bench, "that it would be an invasion of the court to intrude into an area that seems to belong expressly to the Congress itself.

"Congress, not the courts, seems to have the sole authority to decide what the qualifications of its members should be," he said.

During the court argument, which lasted more than an hour, Judge Bonsal expressed increasing doubt on the validity of the charge that Mr. Powell was not an inhabitant of the state.

The charge was made by Jaisen L. Walsh in a Federal suit against the Board of Elections. Mr. Walsh, a Republican, was overwhelmingly defeated in the Nov. 8 election by Mr. Powell, who has held the 18th District House seat for 22 years.

Mr. Walsh's case was argued by Raymond Rubin, a lawyer who has been trying to collect a $164,000 judgment Mr. Powell owes to another of his clients, Mrs. Esther James. The judgment stems from a State Supreme Court jury verdict in April 1963, in which Mr. Powell was found guilty of defaming Mrs. James when he called her a "bag woman," or go-between, for corrupt police and gamblers.

Mr. Walsh has been hospitalized since Oct. 5 with a heart condition and has no connection with the defamation case. Mr. Rubin has made efforts, in eight different state and Federal courts on behalf of Mrs. James, both to collect the $164,000 and to jail Mr. Powell for defying

Mr. Rubin argued yesterday in the Federal suit brought by Mr. Walsh that, because Mr. Powell was not an inhabitant of New York, the court should [illegible] Board of Elections [illegible] him [illegible] day of the election.

Mainly, the lawyer based his contention on Article 1, Section 2 of the Constitution, which states that "no person shall be a Representative who shall not . . . when elected, be an inhabitant of that State in which he shall be chosen."

Judge Bonsal had no quarrel with this argument.

However, he repeatedly queried Mr. Rubin on Section 5 of Article I. This states that "each house shall be the judge of the elections, returns, and qualifications of its own members . . ."

Mr. Rubin was escorted to and from the fifth-floor courtroom in the Federal Court House in Foley Square by two city detectives after the lawyer said he had received telephoned death threats.

Mr. Rubin was to have been assisted in the case by Norman G. Hariowe, who run unsuccessfully against Representative William F. Ryan in the 20th District.

However, Mr. Hariowe, who is also a lawyer, has told Mr. Walsh and Mr. Rubin that he received "an unpleasant telephone call from one Stuart Pace at my home on Nov. 18."

"Under the circumstances," Mr. Hariowe wrote to his client and to his co-counsel, "I have no interest in engaging in litigation that may endanger the health and safety of my family."

"Stuart Pace" was not further identified. The police are investigating.

Civil Rights Lawyer

Although Mr. Walsh's suit was directed against the Board of Elections, William M. Kunstler, a lawyer who has been active in civil rights cases, appeared on behalf of Mr. Powell.

After Mr. Rubin said that he had no objection to Mr. Kunstler's appearance, Judge Bonsal granted a motion adding Mr. Powell as a defendant in the case, and thus giving him the right of legal representation.

Mr. Kunstler, who argued against the motion to block the board from certifying Mr. Powell, was assisted in papers submitted to the court by Albert M. Aspinal.

They became the 14th and 15th lawyers Mr. Powell has retained to fight efforts brought by Mr. Rubin on behalf of Mrs. James and Mr. Walsh.

Mr. Rubin is the only lawyer who has appeared on behalf of Mrs. James since she filed her complaint more than six years ago.

Mr. Powell still faces four jail sentences, totaling a year and 60 days, for contempt of the state courts for violating court orders and [illegible] to answer the $164,000 judgment he owes Mrs. James.

The Representative has been order to surrender at 10 A.M. today in State Supreme Court to start serving one of the jail sentences, which is for 30 days.

But it was considered certain that he would not appear, since he would be jailed for a maximum term of a year and 30 days in addition to the 30-day sentence.

Henry R. Williams, another lawyer for Mr. Powell, petitioned the Appellate Division yesterday to bar the court from enforcing the sentence that Mr. Powell was ordered to start serving today. However, the court took no action.

Mr. Powell has succeeded in avoiding all four jail sentences by keeping out of the state. The state courts have virtually exhausted all their power in aiding Mrs. James collect the judgment.

According to legal observers, the last chance Mrs. James has of either collecting her judgment or compelling Mr. Powell to submit to an examination of his assets lies with District Attorney Frank S. Hogan.

It is known that Mr. Hogan's office has been considering whether to lodge criminal charges of contempt of court against Mr. Powell. The previous decisions against Mr. Powell for contempt are all of a civil nature and are valid only within the state.

However, if Mr. Hogan decides that Mr. Powell should be brought to trial on criminal charges, the Representative could be extradited from any state.

62 DEC 2 1966

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The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times 1
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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46 NOV 30 1966

NOV 23 1966

0-19 (Rev. 9-15-66)

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Powell, Facing Jail, Continues Under Sail

By JOSEPH McNAMARA

Embattled Harlem Congressman Adam Clayton Powell won one court tussle yesterday, drew a reserved decision on another and this morning faces the soul-taxing decision of whether to surrender himself to start a 30-day jail term for criminal contempt.

Powell was reported aboard his yacht, Adam's Folly, off the Bahamas, however, so perhaps his decision has been made.

A bid to stop the Board of Elections from certifying the election of Democrat Powell was thrown out by Federal Judge Dudley Bonsal yesterday.

In bringing the action Lassen L. Walsh, Powell's defeated Republican opponent in the 18th CD, charged that Powell was not an inhabitant of New York State.

Up to Congress, He Says

"I don't think the Federal Court has any jurisdiction in this matter at all," ruled Bonsal.

The judge noted that the Constitution has provided specific machinery, Title 2 of the U.S. Code, providing for eventual Congressional resolution of the election.

Due in Jail Today

Powell's standoff came before the Appellate Division on his lawyers' bid to block enforcement of a 30-day sentence and a $500 fine for criminal contempt growing out of Powell's evasion of attempts of Mrs. Esther James, 68-year-old Harlem widow, to collect $164,000 for defamation. Powell had called her a bag woman for grafting cops.

The Appellate Division reserved decision. Thus Powell is still due to surrender to the sheriff at 10 this morning to begin serving his sentence.

Should Powell fail to pay the $500 fine, he is liable to an additional 30-day jail rap.

Washington, Nov. 22 (UPI)—Rep. Sam M. Gibbons (D-Fla.), the man who led the revolt against Rep. Adam Clayton Powell (D-N.Y.), predicted today that the House Education and Labor Committee would strip Powell of his chairman's powers again next year.

The committee rebelled against Powell this fall and revised its rules so a majority of its members could act when the controversial New York Democrat was absent. House rules must be renewed at each Congress, however.

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News 6
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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NOT RECORDED
NOV 30 1966

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FROM Wash. Capital News Service
DATED 11-23-66

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Powell Loses N.Y. Immunity

Sunday Arrest Ban Lifted

By JOSEPH J. COHEN
World Journal Tribune Staff

Rep. Adam Clayton Powell today lost his congressional and Sunday immunity against arrest on criminal contempt charges.

In the strongest arrest order yet issued in Powell's case, Supreme Court Justice Arthur Markewich directed that the Harlem Democrat be seized if he shows up in this state on a Sunday or at any time whether Congress is in session or not.

The order was requested by Raymond Rubin, attorney for Mrs. Esther James, the Harlem widow who has been trying for three years to collect a $164,000 defamation judgment against Powell. Mrs. James sued Powell because he described her as a "bag woman"—a collector of graft for police.

Previous arrest orders excluded the seizure of Powell while he was in New York to preach at his Harlem church or when Congress was in session.

The latest arrest order was based on a jury's finding that Powell was guilty of criminal contempt for wilfully disobeying a previous directive by Supreme Court Justice Matthew J. Levy to appear for examination about his assets.

Levy ordered Powell to surrender last Wednesday to serve 30 days in jail and pay a fine of $500. Powell never showed up. Instead, he was reported fishing for barracuda off Bimini in the Bahamas.

In an affidavit filed with Justice Markewich, Rubin said it was necessary to permit Powell's arrest on a Sunday because "several sheriffs of the City of New York have attempted to serve him weekdays" but could not execute the arrest warrants.

"He absents himself from the state weekdays," Rubin's affidavit said, "appearing only on Sundays."

The order signed by Justice Mrakewich does not permit extradition of Powell from Washington or any state. No extradition proceeding has been instituted by either Rubin or any court agency as yet.

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The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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Powell Arrest Order Test Awaited in N.Y.

NEW YORK (AP)—The first test of a new court order for the arrest of Rep. Adam Clayton Powell, D-N.Y., for criminal contempt of court is expected today or tomorrow.

The appellate division is scheduled to decide whether to issue a writ of prohibition against the lower state court attempting to punish the Harlem congressman for criminal contempt.

The order for the arrest of Powell "on any day of the week, including Sunday," was signed yesterday by State Supreme Court Justice Arthur Markewich.

The order, which applies only if Powell returns to New York, directs the sheriff to take Powell into custody to serve a 30-day contempt-of-court sentence growing out of a $164,000 libel judgment which Powell has failed to satisfy over a three-year period.

Markewich's order is the fourth one issued by the state courts against Powell, but it is the first which calls for his arrest on Sunday as well as on other days of the week.

While the order specifically denies him immunity from arrest on Sundays, it leaves unclear whether he is subject to arrest while Congress is in session. These legalities have prevented any action against him in the other three civil contempt actions.

The previous arrest orders were all held in abeyance while Congress was in session.

Markewich's order grew out of Powell's failure to surrender Nov. 23 to begin serving a 30-day sentence for criminal contempt, which followed his refusal to submit to financial examination in connection with the libel judgment.

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star A-16
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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6-19 (Rev. 6-15-66)

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Powell to Battle Arrest

Rep. Adam Clayton Powell, in another attempt to stave off imprisonment, challenged in State Supreme Court today the order that provides he may be arrested on Sundays while Congress is in session.

Such an order was signed Monday by Supreme Court Justice Arthur Markewich. The criminal contempt order, based on Powell's "willful disobedience" of court mandates, was the most drastic action yet taken against Powell.

Henry Williams, attorney for Powell, in papers to be filed today, contended that the Sunday provision contravenes the law. Williams claims that under the city administrative code the sheriff's office is closed on Saturday and Sunday. Therefore, Williams argues, no arrest order can be executed on either of those days.

Williams also contends that the failure of the court to decree that Powell may not be arrested while Congress is in session infringes on Powell's constitutional rights. The attorney takes the position that the criminal contempt order cannot be executed while Congress is sitting.

The attorney does not contest the court's right to order Powell's arrest on weekdays or when Congress is not sitting.

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NOT RECORDED
199 DEC 9 1966

The Washington Post and
Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World
Journal Tribune 9
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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Corruption Laid To Businessmen

CAMBRIDGE, Mass., Nov. 30 (UPI)—Sen. Eugene J. McCarthy (D-Wis.) blames businessmen and lawyers for much of the corruption in government.

"In almost every case of corruption in government there was a businessman or lawyer who made it possible," McCarthy said Tuesday night during the second of three William Belden Nobles lectures.

Asked why Congress has not moved against Rep. Adam Clayton Powell (D-N.Y.), who has ignored a court judgment against him in a slander case, McCarthy said, "his (Powell's) troubles are outside his official duties." McCarthy said Powell has not violated House rules regarding his official duties.

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NOT RECORDED
199 DEC 9 1966

The Washington Post and Times Herald A-1
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date 12-1-66

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UPI-11
(POWELL)

WASHINGTON--REP. ADAM CLAYTON POWELL LOOKED TO HISTORY AND THE COURTS TODAY AS HIS BEST HOPE FOR STAYING IN CONGRESS.

THE FLAMBOYANT NEW YORK LAWMAKER WAS FACING WHAT COULD BE THE MOST SERIOUS POLITICAL CHALLENGE OF HIS STORMY 22-YEAR CAREER IN THE HOUSE.

REP. LEIONEL VAN DEERLIN, A FELLOW DEMOCRAT FROM CALIFORNIA, ANNOUNCED WEDNESDAY THAT COME NEXT JAN. 10, THE OPENING DAY OF THE 90TH CONGRESS, HE WOULD MOVE TO BLOCK POWELL FROM TAKING HIS OATH OF OFFICE.

VAN DEERLIN SAID HE WAS TAKING THE ACTION BECAUSE OF POWELL'S DEFIANCE OF THE COURTS AND BECAUSE HE WAS "GETTING WEARY OF ANSWERING LETTERS HERE AND QUESTIONS WHEN I'M HOME ABOUT THE GUY."

POWELL'S LAWYERS ARE APPEALING AN ARREST ORDER AS WELL AS OTHERS TO HIGHER COURTS IN NEW YORK.

VAN DEERLIN SAID TODAY THAT IF THE COURTS VACATED THE LATEST ARREST ORDER HE WOULD DROP HIS CAMPAIGN TO UNSEAT POWELL.

"IF THE COURTS DECIDED HIS OFFENSE WAS NOT SO SERIOUS THAT IT WARRANTED HIS IMPRISONMENT, THEN I WOULD YEILD TO THE COURT'S JUDGMENT," HE TOLD UPI.

THE SECOND BRIGHT SPOT FOR POWELL WAS THE HISTORY OF SIMILAR ATTEMPTS TO DENY DULY ELECTED MEMBERS THEIR SEATS. THE LAST REPRESENTATIVE BARRED FROM THE HOUSE WAS BRIGHAM ROBERTS, A CONGRESSMAN-ELECT FROM UTAH, IN 1900. HE WAS EXCLUDED BECAUSE OF HIS MORMON BELIEF IN POLYGAMY.

THERE HAVE BEEN PLENTY OF CONTROVERSIES OVER ELECTION RESULTS, WITH MEMBERS NOT BEING SEATED UNTIL INVESTIGATIONS HAVE BEEN CONDUCTED. BUT NO DULY ELECTED MEMBER HAS BEEN EXPELLED FROM THE HOUSE SINCE 1861, THOUGH SEVERAL FACED WITH EXPULSION HAVE RESIGNED BEFORE IT COULD TAKE PLACE.

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WASHINGTON CAPITAL NEWS SERVICE

53 DEC 9 1966

Two Outs Open to Him

Rep. Powell Faces Unseating

Rep. Adam Clayton Powell — wherever he may be — looked to history and the courts today as his best hope for staying in Congress.

The flamboyant New York lawmaker was facing what could be the most serious political challenge of his stormy 22-year career in the House.

BLOCK MOVE

Rep. Lionel Van Deerlin, a fellow Democrat from California, announced that on Jan. 10, the opening day of the 90th Congress, he would move to block Rep. Powell from taking his oath of office.

Mr. Van Deerlin said he was taking the action because of Rep. Powell's defiance of the courts and because he was "getting weary of answering letters here and questions when I'm home about the guy. They keep saying, 'When are you going to do something about him? He's defiant. He's defiant of courts of law.'"

For 5½ years Mr. Powell has been waging a legal battle to avoid paying a defamation judgment that, together with fines, now totals $164,000.

The latest chapter came this week when a New York State Supreme Court justice ordered Mr. Powell's arrest any day of the week (previously he could not be arrested on Sunday). As a result Rep. Powell cannot enter the state without fear of being jailed for anywhere from 30 days to a year and 30 days.

His whereabouts are not known. His Capitol office claims it does not know. He is rumored to be either here or on the island of Bimini in the Bahamas.

Rep. Van Deerlin's challenge would be put to a vote when Congress convenes. Should a majority vote to deny him his seat, he would find himself in a sort of political limbo.

As a representative-elect he would continue to receive his $30,000-a-year salary, but would be powerless to cast a vote or serve as chairman of the influential House Labor and Education Committee.

The 58-year-old Negro politician-preacher has two factors working for him.

His lawyers are appealing the arrest order as well as others to higher courts in New York. And Rep. Van Deerlin said today that if the courts vacated the latest arrest order he would drop his campaign to unseat Mr. Powell.

The second bright spot was the history of similar attempts to deny duly elected members their seats. The last representative barred from the House was Brigham Roberts, a congressman-elect from Utah, in 1900. He was excluded because of his Mormon belief in polygamy.

Meanwhile, Rep. Wayne Hays (D., O.) said he's going to keep on investigating Rep. Powell.

REP. VAN DEERLIN

Auditors "are still at it," he said. They're sifting thru expense records of Rep. Powell's Education and Labor Committee. (UPI)

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The Washington Post and Times Herald
The Washington Daily News 4
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date

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199 DEC 9 1966

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DEC 1 1966

(Rev. 9-15-66)

Powell Warned House Can Oust Him

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By JACK METCALFE

Washington, Nov. 30 (NEWS Bureau)—A liberal Congressman warned Rep. Adam Clayton Powell (D-N.Y.) today that he would try to block his Yellow Democrat's seating in the House unless the New Yorker purges himself of court orders against him.

Rep. Lionel Van Deerlin (Calif.) spoke out because, he said, New York State Supreme Court Justice Arthur Markewich's order for Powell's arrest and jailing would bar him from enlistment or drafting into the army.

Rep. Lionel Van Deerlin
Warns Adam Clayton Powell

"It would be a monstrous perversion of patriotism and morality if a man who would be barred from serving his country in uniform because of unlawful acts should be allowed a voice in policies which affect the lives of men who do serve," Van Deerlin declared.

Signed Monday

Markewich signed the orders for Powell's arrest and jailing Monday after the Harlem Congressman failed to start a 30-day sentence for criminal contempt. The sentence was imposed because Powell has failed to pay a $164,000 defamation judgment against him in 1963.

Van Deerlin praised Powell's "many contributions to progressive legislation" as chairman of the powerful House Education and Labor Committee. But he said he would nevertheless wage with regret to keep Powell from his seat because he believed it was necessary for "Congress to set an example for moral and ethical conduct."

Van Deerlin is not a member of Powell's committee. The recent committee revolt against the chairman's overbearing methods was completely unrelated to his move, he said.

Gives His Time

He said he was giving Powell "ample time in which to satisfy the judgment against him and purge himself of the court order."

He also was speaking out early, he said, so that all other Representatives would have time to decide how to act should he move to block Powell's swearing-in when the new Congress convenes [illegible]

Adam Clayton Powell
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100-51230-A
NOT RECORDED
176 DEC 9 1966

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News 2
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

DEC 1 1966

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Powell was reported vacationing in the Bahamas.

Under House rules, Powell would be required to step aside when members were sworn in if Wan Deerlin should challenge his right to take the oath. After other members had been sworn in, the challenge would be considered by the House.

What Could Happen

Customarily, the leadership would offer a resolution directing that the challenged individual be seated, either without qualification or pending an investigation.

Should Powell not be permitted to take the oath, he would continue in the status of a Representative-elect and continue to receive his salary and occupy his office. But he would not be permitted to cast votes.

The House would have to take some positive action — presumably after an investigation — in order to oust him from Congress.

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6-19 (Rev. 11-15-61)

Fight in Congress to Bar Powell Planned by California Democrat

By JOSEPH A. LOFTUS
Special to The New York Times

WASHINGTON, Nov. 30—A California Democrat said today that he would try to deny Representative Adam Clayton Powell a seat in the 90th Congress when it convenes in January if Mr. Powell has not purged himself of contempt of court convictions in New York.

Representative Lionel Van Deerlin of San Diego said the possible move against the Manhattan Democrat would be taken on Jan. 10 when members-elect are sworn in. Mr. Powell has been sentenced to jail for a total of one year and 60 days on four convictions involving both civil and criminal contempt, and is subject to arrest if he is found in New York State.

[Mr. Powell is making plans to preach at the Abyssinian Baptist Church in Harlem, of which he is pastor, by closed-circuit television, piped here from Washington. In New York Supreme Court, he lost his first legal effort to reverse one of the contempt orders calling for his arrest in the state at any time.]

Asserting that in "these circumstances, Mr. Powell would not be allowed to enlist in the Army, nor would he be accepted by Selective Service," Mr. Van Deerlin said: "It would be a monstrous perversion of patriotism and morality if a man who would be barred from serving his country in uniform because of unlawful acts should be allowed a voice in policies which affect the lives of men who do serve."

Mr. Van Deerlin said he was making his intentions known now so that Mr. Powell would have ample time to purge himself before the court and to give his colleagues time to consider the course they will take in Jan. 10.

The Californian said in an interview that he was not acting for anybody but himself, and had [illegible] support among [illegible]

He conceded, as several other members anonymously remarked, that the problem would be to get a rollcall vote on the clearcut question of exclusion. On such a vote, several members said, the exclusion of Mr. Powell would prevail because they believe many members would be in trouble with their constituents if they voted otherwise.

These members, including Mr. Van Deerlin, said the leadership probably would make a diversionary move to refer the case to committee for investigation. The rationale for such a move would be that Mr. Powell had not exhausted all appeal procedures.

Challenged on Issue

Mr. Van Deerlin acknowledged that he would feel impelled to vote for such a move.

"Yes, you settle for what you can," he said.

He and other members said they had received a lot of mail and had been challenged in other ways on the Powell issue.

"Every time you make a speech there are certain questions you can expect," he said. He cited the proposed admission of Communist China to the United Nations as one example. Now, he said, he gets at least one question about Mr. Powell.

"I get a little weary of Congress' refusal to move," he said. "I hate to sound moralistic and holler than thou, but here's a guy defying the courts and helping to write the laws of the nation."

In a prepared statement, he said: "I am aware of Congressman Powell's many contributions to progressive legislation, and it is with deep regret that I consider this action necessary.

"However, at a time when great criticism is being directed at young people for lax morals and unethical practices, it is more than ever the responsibility of congress to set an example for moral and ethical conduct. If on Jan. 10 Congressman Powell is still subject to a court order committing him to jail at any time he enters his home state, no tradition of Congress would be hallowed enough to justify seating him."

United Press International

MAY BLOCK POWELL: Representative Lionel Van Deerlin, California Democrat, said he would move to prevent Representative Adam Clayton Powell from taking his seat in Congress.

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The Washington Daily News
The Washington Evening Star
New York Daily News
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The New Leader
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The National Observer
People's World

Date Dec 1, 1966

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Inquiry Into Funds

Mr. Powell's use of House funds as chairman of the Education and Labor Committee is also under investigation by a subcommittee of the House Administration Committee.

Representative Wayne Hays, Democrat of Ohio, chairman of the subcommittee, returning today from Europe found that four auditors were still working on the records. Mr. Hays directed them to put together a report for a meeting next Wednesday.

Mr. Van Deerlin is a former newspaperman and radio and television news analyst. He is 51 years old, and has just been elected to a third term. He said 40,000 residents of his district—about 11 per cent—were Negroes.

If when members rise to be sworn and Mr. Van Deerlin challenges Mr. Powell, the New Yorker would have to step aside. After other members had taken the oath, the challenge of Mr. Powell's right to a seat would be taken up.

Customarily, the leadership would then offer a resolution. The form probably would depend on what a private head count showed. If the count indicated defeat of a resolution to seat Mr. Powell unconditionally, the strategy probably would be to seat him conditionally pending an investigation, or to permit him to continue in the status of Representative-elect. In the latter case he would enjoy all the perquisites of office—but would not be allowed to vote.

9-30 (Rev. 1-28-66)

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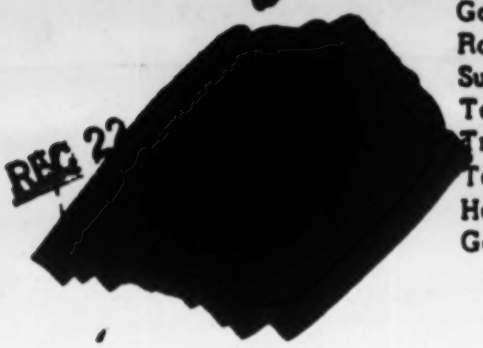

UPI-115

(POWELL)

WASHINGTON--REP. ADAM CLAYTON POWELL WAS THREATENED TODAY WITH A MOVE TO PREVENT HIM FROM TAKING HIS HOUSE SEAT IN JANUARY IF HE DOES NOT COME TO TERMS WITH THE LAW.

REP. LIONEL VAN DEERLIN, D-CALIF., SET IN MOTION A CHAIN OF EVENTS THAT COULD LEAD TO EXPULSION OF THE HARLEM DEMOCRAT FROM CONGRESS.

"AT A TIME WHEN GREAT CRITICISM IS BEING DIRECTED AT YOUNG PEOPLE FOR LAX MORALS AND UNETHICAL PRACTICES," VAN DEERLIN SAID, "IT IS MORE THAN EVER THE RESPONSIBILITY OF CONGRESS TO SET AN EXAMPLE FOR MORAL AND ETHICAL CONDUCT."

POWELL, CHAIRMAN OF THE HOUSE EDUCATION AND LABOR COMMITTEE, WAS NOT AVALABLE FOR COMMENT. HIS WHEREABOUTS WERE UNKNOWN.

VAN DEERLIN, A TWO-TERM MEMBER FROM SAN DIEGO, SAID HIS DECISION TO TRY TO DENY THE 22-YEAR VETERAN NEGRO CONGRESSMAN HIS SEAT WAS PROMPTED BY A NEW YORK STATE SUPREME COURT ORDER LAST WEEK FOR POWELL'S ARREST ANY DAY OF THE WEEK, INCLUDING SUNDAY.

THE ORDER CALLED FOR JAILING POWELL FOR 30 DAYS. BUT HE FACES IMPRISONMENT FOR AN ADDITIONAL YEAR AND 30 DAYS FOR DEFYING COURT ORDERS THAT HE SETTLE A $164,000 JUDGMENT STEMMING FROM A HARLEM WIDOW'S SUCCESSFUL DEFAMATION SUIT AGAINST HIM.

POWELL'S ATTORNEYS FAILED WEDNESDAY TO HAVE THE LATEST ARREST ORDER VACATED.

VAN DEERLIN SAID POWELL'S STATUS WITH THE LAW MEANT HE COULD NOT SERVE IN THE ARMED FORCES.

"IT WOULD BE A MONSTROUS PERVERSION OF PATRIOTISM AND MORALITY IF A MAN WHO WOULD BE BARRED FROM SERVING HIS COUNTRY IN UNIFORM BECAUSE OF UNLAWFUL ACTS SHOULD BE ALLOWED A VOICE IN POLICIES WHICH AFFECT THE LIVES OF MEN WHO DO SERVE," HE SAID.

RULES OF THE HOUSE DO NOT OFFER CLEAR DIRECTIONS ON HOW TO DEAL WITH A CASE LIKE THAT OF POWELL'S. BUT FROM PRECEDENTS AND THE BEST OPINIONS OF INFORMED HOUSE OFFICIALS, SOMETHING LIKE THE FOLLOWING WOULD OCCUR.

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UPI-102
(POWELL)

WASHINGTON-A HOUSE INVESTIGATOR SAID TODAY HE MAY ASK REP. ADAM CLAYTON POWELL, D-N.Y., TO EXPLAIN SOME TAXPAYER-FINANCED TRIPS MADE BY HIM AND STAFF MEMBERS OF THE HOUSE EDUCATION AND LABOR COMMITTEE.

REP. WAYNE HAYS, D-OHIO, TOLD REPORTERS HIS HOUSE ADMINISTRATION SUBCOMMITTEE PROBABLY WILL DECIDE TOMORROW WHEN TO ASK POWELL TO APPEAR.

THE SUBCOMMITTEE HAS BEEN EXAMINING PAYROLLS AND TRAVEL VOUCHERS ISSUED DURING THE 89TH CONGRESS BY THE EDUCATION AND LABOR COMMITTEE, HEADED BY POWELL, TO DETERMINE IF THERE WERE ANY IRREGULARITIES.

HAYS SAID AFTER A CLOSED MEETING OF HIS SUBCOMMITTEE TODAY THAT A SEVEN-WEEK STUDY BY AUDITORS OF VOUCHERS OF THE POWELL INDICATED THAT "WE WILL HAVE TO INVITE THE CHAIRMAN AND SOME OF THE STAFF TO COME BEFORE THE SUBCOMMITTEE TO EXPLAIN."

HAYS, A CRITIC OF POWELL'S ACTIVITIES, SAID HE WAS NOT SUGGESTING THERE NECESSARILY WAS ANY EVIDENCE OF WRONGDOING.

"I BELIEVE EACH PERSON IS ENTITLED TO COME AND SAY HIS PIECE," HAYS SAID. "IT'S VERY PROBABLE THEY (THE VOUCHERS) CAN BE EXPLAINED."

HAYS OBSERVED THAT THE EDUCATION AND LABOR COMMITTEE APPARENTLY DID MORE TRAVELING IN THE U.S. THAN ANY OTHER COMMITTEE OF CONGRESS. HE SAID THERE WERE NUMEROUS AIRLINE TICKETS MADE OUT FOR NEW YORK CITY (POWELL'S HOME), PUERTO RICO (WHERE HIS WIFE YVETTE LIVES) AND MIAMI.

HAYS SAID HE EXPECTED THE SUBCOMMITTEE WOULD HOLD HEARINGS AND ISSUE A REPORT BEFORE THE 90TH CONGRESS CONVENES JAN. 10.

HAYS EMPHASIZED THAT POWELL'S MAZE OF LEGAL PROBLEMS WERE "OF NO OFFICIAL CONCERN" TO THE SUBCOMMITTEE.

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SEVERAL NEW YORK STATE COURT ORDERS HAVE BEEN ISSUED FOR RECORDED POWELL'S ARREST AS THE RESULT OF HIS FAILURE TO PAY A $164,000 DEFAMATION OF CHARACTER JUDGMENT TO A HARLEM WOMAN. 40 DEC 14 1966

REP. LIONEL VAN DEERLIN, D-CALIF., SAID LAST WEEK THAT IF THESE ORDERS ARE STILL IN EFFECT ON JAN. 10, HE WOULD TRY TO PREVENT POWELL FROM BEING SEATED IN THE HOUSE.

HAYS WAS ASKED IF THE SUBCOMMITTEE WAS INVESTIGATING MRS. POWELL'S STATUS AS A MEMBER OF POWELL'S PERSONAL STAFF AT A SALARY OF MORE THAN $20,000 A YEAR IN APPARENT VIOLATION OF A HOUSE RULE WHICH STATES THAT EMPLOYES MUST WORK EITHER IN WASHINGTON OR IN THE MEMBER'S HOME DISTRICT.

HE REPLIED THAT THE SUBCOMMITTEE WAS SEEKING LEGAL ADVICE ON WHETHER IT HAS JURISDICTION OVER THAT QUESTION SINCE IT NORMALLY IS CONCERNED ONLY WITH SPENDING OF COMMITTEE FUNDS.

F-499

WASHINGTON CAPITAL NEWS SERVICE

IF POWELL APPEARS BEFORE THE SUBCOMMITTEE HE PROBABLY WILL TESTIFY IN CLOSED SESSION, HAYS SAID. "I'M NOT MUCH OF AN ADVOCATE OF TRYING PEOPLE IN PUBLIC SESSION TO FIND THEM GUILTY," HE SAID.

HAYS SAID HE DOUBTED THERE WAS MUCH HIS GROUP COULD DO IF POWELL REFUSED TO APPEAR. HE SAID HE WAS NOT SURE WHETHER IT COULD SUBPOENA A CONGRESSMAN. BUT HE SAID THE GROUP COULD SUBPOENA STAFF MEMBERS.

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Signed Travel Vouch... Narrow Powell Inquiry

House investigators plan a closed session investigation beginnning Dec. 19 of Rep. Adam Clayton Powell's travels, but it isn't expected to cause the Harlem Democrat tangible damage.

All the vouchers for plane travel to Miami, New York and other points by Powell and members of the Education and Labor Committee which he heads bear the stamped signature of approval of Rep. Omar Burleson (D-Tex.), chairman of the overseeing House Administration Committee. It is one of Burleson's subcommittees, headed by Rep. Wayne L. Hays (D-Ohio), that is investigating whether all the government-paid trips were on committee business.

Hays said it is standard practice for the committee staff to stamp vouchers "approved" without further inquiry once they receive assurance that funds are available and that the service has been requested and received by a committee chairman authorized to spend the funds—in this case, Powell.

Hays said he felt his subcommittee could still inquire into the purpose of the trips—about 60 to Miami or Puerto Rico and 150 to New York, many on weekends, during the last two years. But he said he meant no funds could be recovered if any trips were shown to be not legitimate committee travel.

Main value of the investigation may be to recommend closer oversight on future committee spending, said Hays.

File

The Washington Post and Times Herald A-2
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
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THE NEWS OF THE WEEK IN REVIEW

To Seat or Unseat Powell—That's the Question

By JOSEPH A. LOFTUS
Special to The New York Times

WASHINGTON, Dec. 10—Some seasoned members of Congress privately agree that if Rep. Adam Clayton Powell continues in defiance of the courts, and if a resolution to exclude him from the House goes to a roll call next month "it will sail through."

The "ifs" in that proposition, especially the second one, are as big as they come. The issue is politically delicate and complicated beyond the harshest thoughts of the hundreds of citizens who have expressed indignation and impatience in letters to Congressmen. These letters are having an effect, but how powerful an effect no one can foretell.

There are multiple reasons why a roll-call vote on Mr. Powell's right to a seat probably will be avoided next month, unless the Manhattan Democrat deliberately worsens his own position. His offer this week to pay $60 a week to the woman he defamed was far from a capitulation. It was a negotiation gesture which he knew the woman's counsel had already rejected, since that sum scarcely covers a third of the interest accruing on the unpaid $164,000 judgment, let alone the entire judgment. At $60 a week it would take Mr. Powell about 50 years to pay off the judgment even if no interest were involved; when the interest is tacked on, neither he nor his heirs would ever pay it off at that rate.

Rare Procedures

Expulsion and exclusion are so rare that either procedure is almost out of character for Congress. There is a tradition that if a person's constituency has had an opportunity, in an election, to disapprove of his conduct, the House will not interfere, except in the most unusual cases. There have been no expulsions since the Civil War, and those were for treason. There have been a few exclusions, the difference being that the action takes place before the oath

The House leadership, meaning principally Speaker McCormack, acts as a protective shepherd. That is bred in an atmosphere that fosters a spirit of, "All for one and one for all," or "There but for the grace of . . . etc."

Mr. Powell is a Negro and would be pleased to raise the racial issue, as he has done before when attacked. He does not have the unanimous backing of the Negro community, but probably has enough of its support in other members' districts to give many of them second thought about ousting him.

Representative Lionel Van Deerlin, the California Democrat who said he would try to block the seating of Mr. Powell, did not say he would move to exclude Mr. Powell. There is a distinction, and it might be a difference. He could move to have Mr. Powell stand aside pending an investigation by a House committee.

In that case, Mr. Powell would draw his pay, hold his staff, chair his committee — everything but vote on the floor. The investigation could be drawn out long enough for Mr. Powell to carry appeals to the Supreme Court.

Members can rationalize that if Mr. Powell were ousted he probably would run in a special election and win by an even greater majority than his thirty-odd margin in last month's election.

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New York Daily News
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The Harlem leader is helped, not hurt, when attacked by white leadership. Harvard's Professor James Q. Wilson, in a scholarly analysis six years ago, said, "Powell's political style in part depends on the existence of an 'enemy'—a source of alleged injustice against which Powell can direct his fire . . . since Powell does not hold his followers and workers by material benefits, they rarely feel cheated by his obvious material success. In part, the lack of resentment is probably due to the feeling of gratification less fortunate Negroes derive from the sight of Powell in expensive restaurants and night clubs. He is doing what many of them understandably would like to do."

Flaunts Violations

He is right when he says that he is far from the first member to put family members on official payrolls. That is not the point, and Mr. Powell is too smart to miss it. The point is that simply breaking rules does not satisfy him. He has to flaunt his violations.

The mail and campaign questions generated by Mr. Powell's follies are what disturb his colleagues. An oddball letter or two disturbs no one, but members have been hearing from more than oddballs.

Mr. Van Deerlin's announcement on Nov. 30 brought him 335 letters, cards, and telegrams. They came from all over the United States, from people who said they were sending duplicates or similar letters to their own Representatives.

One theme that emerges strongly from these letters is that Americans want to be proud of their Congress, but quite a few are not. Pick up one of these letters at random and chances are it will include a sentence like this: "I'm glad to see that somebody in the Congress of the United States has the courage to speak out." More often, the word was not "courage," but "guts."

A New York City writer said, "I sincerely wish that the Representative from my district and my Senator had the guts to stand up and be counted as you have."

These attitudes are getting through to members and many of them, if forced into a roll call, still not dare to cast a vote that seems to uphold Mr. Powell's defiance of the courts.

Associated Press

VACATIONER: Though seemingly unperturbed on a West Indies holiday, Representative Adam Clayton Powell faces a challenge to his House seat as a result of his legal troubles and publicity.

6-19 (Rev. 9-15-66)

The Washington Merry-Go-Round

Hays Unit to Trace Mrs. Powell's Checks

By Drew Pearson and Jack Anderson

The mystery of what happened to Federal salary checks payable to Mrs. Yvette Marjory Flores Diago Powell, third wife of Rep. Adam Clayton Powell, will be investigated by a House Administration Subcommittee headed by Rep. Wayne Hays (D-Ohio) starting Dec. 19. Mrs. Powell claims she never received the money.

The subcommittee will also probe into the amazing tangle of Government funds spent by Powell's Committee on Education and Labor. The committee had more than 20 credit cards, for example, which could be used by airplane travelers without necessarily revealing their identity.

Mrs. Powell, who has been drawing a salary of $20,578.39 a year in recent years though living in Puerto Rico, came to Washington last August 4 to seek a reconciliation with her estranged husband. She brought along her 3-year-old son, Adam Powell-Diago.

The Congressman refused to see her any place except in his office, however, and wrote a letter to the manager of the Sheraton Park Hotel warning that he would not be responsible for his wife's hotel bills after August 6.

Before departing Washington, Mrs. Powell confided to friends that for almost a year she had not received any of the $20,578.39 annual salary she is supposed to be paid. Inquiry by this column ascertained that the monthly checks for $1,714 were mailed not to Mrs. Powell in Puerto Rico but to the Congressman's office in Washington.

Since publication of this fact on September 1, however, none of Mrs. Powell's checks have gone into her husband's account with the House Sergeant at Arms. The House Administration Subcommittee will endeavor to find out what became of them.

Unless Mrs. Powell has a joint checking account with her husband, or has authorized him to cash her checks, the consequences could be serious. It is against the kickback law for a Congressman to take any part of the Federal pay of an employe.

The Harlem globe-trotter has wanted a divorce in order to marry Miss Corinne Huff, former Ohio beauty contest winner, now employed in his office.

Rep. Hays will push the investigation this month because his mandate to function expires with the end of the 89th Congress on December 31.

Was Trip Necessary?

On the agenda for investigation also are the prodigious travel expenses of the Education an Labor Committee, the largest in Congress. These include 60 round-trip flights to Miami or San Juan, P.R., plus about 150 trips to New York during the last two years.

Hays wants to determine what individuals made these trips, whether others than official representatives of the Education and Labor Committee used plane reservations at the taxpayers' expense.

The General Accounting Office, which recently audited some of Powell's travel spending, reported to Hays's subcommittee that Russ Derrickson, a veteran committee aide, was listed as making 25 of the plane trips to New York.

Powell probably will be "invited" to testify at the hearings. As a Congressional committee chairman, he can claim immunity from subpoena. However, a number of his aides will be subpoenaed. If they refuse to appear, U.S. marshals will escort them to the hearings.

Note: The Congressman from Harlem has just ordered some new fishing tackle from "Junior's Tackle Shop," 533 West Avenue, Miami Beach. In order to disguise the fact that it was purchased by Powell, the tackle was addressed to "Huff Enterprises."

The tackle was sent to "2161 Rayburn House Office Building, Washington," which is the number of Powell's office. Obviously, "Huff Enterprises" referred to Corinne Huff.

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NANA-17. CUNEO-POWELL (COLUMN)

RELEASE TUES., JAN. 3, 1967

TAKE IT OR LEAVE IT

CONGRESSMAN POWELL ALSO
BREAKS LAWS OF PHYSICS

BY ERNEST CUNEO
NORTH AMERICAN NEWSPAPER ALLIANCE

NEW YORK, JAN. 3-(NANA)-CONGRESSMAN ADAM CLAYTON POWELL HAS NOT ONLY DEFIED THE LAWS OF NEW YORK STATE AND OF CONGRESS, BUT THE LAWS OF PHYSICS AS WELL. MORE PARTICULARLY, IF THE VOUCHERS FOR GOVERNMENT FUNDS ARE CORRECT, THE NEW YORK CONGRESSMAN HAS HAD ONE PERSON APPEAR IN TWO DIFFERENT PLACES AT THE SAME TIME, SOMETHING NEITHER NEWTON NOR EINSTEIN COULD EVER EFFECT.

BEFORE THE WORLD'S SCIENTISTS RUSH TO APPLAUD, THE RESULTS NEED FURTHER VERIFICATION. IT MAY NOT BE A NEW DISCOVERY REVOLUTIONIZING SCIENCE, BUT THE SAME OLD SEEDY POLITICAL DISCOVERY OF MISAPPLICATION OF GOVERNMENT FUNDS. PERSONAL SERVANTS MASQUERADING AS GOVERNMENT EMPLOYEES, FROM THE EVIDENCE SO FAR OFFERED, APPEARS TO CLOSE THE CREDIBILITY GAP ON HOW A CONGRESSMAN CAN MAINTAIN A CARIBBEAN HOME, A PRIVATE YACHT AND STILL BE UNABLE TO PAY MORE THAN A FEW DOLLARS A WEEK ON A HUGE JUDGMENT OUTSTANDING AGAINST HIM. STILL UNEXPLAINED IS HOW HIS EX-WIFE'S $20,000 SALARY AS A GOVERNMENT EMPLOYEE WAS PAID INTO HIS OFFICE ACCOUNT INSTEAD OF TO HER.

--GRAND JURY--

A LEADING DEMOCRATIC CONGRESSMAN HAS EXPRESSED THE VIEW THAT IF THE CHARGES ARE SUSTAINED, CONGRESSMAN POWELL SHOULD NOT BE EPELLED BY THE CONGRESS BUT SHOULD BE RELIEVED OF HIS COMMITTEE CHAIRMANSHIP. THE FACT OF THE MATTER IS THAT IN THE EVIDENCE SO FAR ADDUCED, IT IS APPROACHING THE POINT OF KEEN INTEREST BY A FEDERAL GRAND JURY. UNLESS IT IS THE POSITION OF CONGRESS THAT ELECTION TO THAT PUBLIC OFFICE BRINGS WITH IT A LICENSE TO STEAL, IT SHOULD TAKE THE STANCE THAT ANY FRAUD AMONG ITS MEMBERSHIP BE RELENTLESSLY EXPOSED, AND IF COMMITTED, PROSECUTED.

THIS IS ESPECIALLY RELEVANT TO THE POWELL INVESTIGATION, BECAUSE THE NEW YORK CONGRESSMAN HAS STATED AS A MORAL DEFENSE THAT THE PRACTICES FOR WHICH HE IS BEING INVESTIGATED ARE MERE CUSTOMS OF THE HOUSE.

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--NO DEFENSE--

INDEED, HE ATTACHED AS A CONDITION OF HIS APPEARANCE THAT OTHER HOUSE COMMITTEES BE INVESTIGATED SIMILARLY. IN POINT OF LAW, THIS WOULD BE NO DEFENSE TO THE ALLEGED ACTS OF POWELL. IN POINT OF FACT, HOWEVER, IT IS MORE THAN A CHALLENGE TO THE INTEGRITY OF THE HOUSE. IT IS AN OUTRIGHT DARE TO REVEAL ALL, TO MAKE PUBLIC WHAT HAPPENS TO PUBLIC MONIES WHEN ADMINISTERED BY CONGRESSIONAL COMMITTEES.

AT LAST REPORT, CONGRESSMEN WERE NOT POURING OUT OF THEIR OFFICES IN A KEYSTONE KOP (CAP K,K) RUSH TO ACCEPT THE CHALLENGE OF THE NEW YORK CONGRESSMAN.

IT IS NOT THE POSSIBLE BREAKING OF THE LAWS OF NEW YORK, NOR OF CONGRESS, NOR OF THE UNITED STATES FOR WHICH THESE CYNICAL SOLONS BLAME CONGRESSMAN ADAM CLAYTON POWELL. ADAM CLAYTON BROKE THE 11TH COMMANDMENT, WHICH IS THE FIRST LAW OF AMERICAN WARD-LEVEL POLITICS:

"THOU SHALT NOT GET CAUGHT."

END-CUNEO-POWELL-NANA-66.

B850P

The Washington Merry-Go-Round

Rep. Powell Skyrockets His Payroll

By Drew Pearson

There's some interesting arithmetic behind the committee operations of Rep. Adam Clayton Powell, the former globe trotter, whose travel vouchers and payroll face investigation by his own colleagues beginning today.

Pearson

The year before Powell became chairman of the House Education and Labor Committee that committee had only 18 full-time employes, of whom only five were paid more than $8000 a year. This was when Graham Barden, a North Carolina Democrat, was chairman.

After Powell replaced him, the number of employes began to grow, until this summer when the payroll numbered 76, of whom seven were paid more than $20,000. Of these, two were paid nearly $26,000, about the same as a member of the Little Cabinet.

Note—In passing judgment on Adam Clayton Powell, however, it should never be forgotten that he took the initiative in attending the first Asian-African Bandung Conference in Djakarta, where the Chinese Communists were preparing to pillory the United States. Powell valiantly defended the United States and undercut Communist propaganda by pointing to the fact that he, a Negro, had been elected to one of the highest offices in the land.

Paul Douglas Park?

The question of naming the new Indiana sand dunes national park for the man who pioneered its acquisition — Sen. Paul Douglas of Illinois — has been under serious consideration at the Interior Department, but the suggestion has been turned down.

It was Paul Douglas, retiring after 18 years in the Senate, who cajoled, needled, and arm-twisted his colleagues into rescuing the Indiana sand dunes from the path of the steel mills and making them into a national park.

However, Secretary of the Interior Stewart Udall informed this column that it was against Interior Department policy to name a national park for a living American, and it would take an act of Congress to do so.

There would be no trouble getting the approval of Douglas's Senate successor, Senator-elect Charles Percy, the Republican who defeated him, because Percy has expressed his high admiration of Douglas. The stumbling block would be crusty Rep. Wayne Aspinall (D-Colo.), chairman of the House Interior Committee and no great enthusiast for a redwoods park or for new park projects.

However, Secretary Udall definitely plans to name some part of the new sand dunes park, such as the dining room, for the man whose persuasive perseverance made the park possible.

Lyndon's Loyalty

There is one fact anyone who works for Lyndon Johnson can count on: He takes care of his staff. Those who are loyal to him get rewarded. Larry O'Brien was the one member of the old Kennedy staff at the White House who stayed on. The grateful President Johnson rewarded him with an appointment to the Cabinet: Postmaster General.

The two closest men to the President, Jack Valenti and Bill Moyers, have now got high-paying jobs. The President had several talks with Moyers about his Newsday offer during which Moyers confessed that his two ambitions were either to run for office or get into the newspaper business.

If he ran for Congress from Texas, however, Moyers would

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have had to run against Rep. Wright Patman of Texarkana, who has been in Congress longer than any other Texan and is an old buddy of LBJ.

Mr. Johnson told Moyers the story that the late Speaker Sam Rayburn used to tell about the district judge in Texas who opposed Patman. He was well qualified, campaigned hard, but ended up winning not a single county.

Later a justice of the peace contested the judge for his seat on the bench, according to the Rayburn story. The district judge told the voters: "I graduated with honors at the University of Texas. I went to law school where I won the Order of Coif. I made the staff of the Law Review. I served on the county court, the circuit court and now the district court. What qualifications does my opponent have to match that?"

His opponent replied, according to same Sam Rayburn: "It's true I never went to the university. I never graduated from law school. I don't even know what Coif is. I haven't served on all those lower courts. But there's one thing I have got. I've got enough sense not to run against Wright Patman."

So Bill Moyers decided to take the Newsday post instead.

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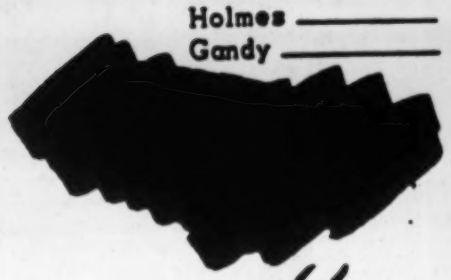

ADAM CLAYTON POWELL

UPI-73
ADD 1 POWELL, WASHINGTON (UPI-69)
ALSO SUBPOENAED WAS CORRINNE HUFF, A FORMER BEAUTY CONTEST WINNER WHO IS POWELL'S SECRETARY AND OFTEN HIS TRAVELING COMPANION. SHE IS SAID TO BE WITH HIM NOW IN THE BAHAMAS.
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UPI-94

ADD 2 POWELL, WASHINGTON

POWELL'S AIDE, C. SUMNER STONE, MEANTIME PROMISED TO MAKE PUBLIC LATER TODAY A LETTER FROM POWELL REPORTEDLY OFFERING TO APPEAR BEFORE THE COMMITTEE UNDER CERTAIN CONDITIONS. STONE HIMSELF WAS A SCHEDULED WITNESS AT TODAY'S HEARINGS.

THE MORNING SESSION, ACCORDING TO HAYS, HEARD THREE WITNESSES--AN AUDITOR FOR THE GENERAL ACCOUNTING OFFICE, THE CLERK OF THE HOUSE ADMINISTRATION COMMITTEE AND SYLVIA J. GIVENS, A FORMER EMPLOYEE OF THE EDUCATION AND LABOR COMMITTEE.

HAYS TOLD NEWSMEN THE FIRST TWO WITNESSES EXPLAINED PROCEDURES FOLLOWED IN PAYING FOR COMMITTEE TRAVAL AND IN PARTICULAR SOME OF THE VOUCHERS FILED BY THE EDUCATION AND LABOR COMMITTEE.

HAYS REFUSED TO DISCLOSE WHAT MISS GIVENS TOLD THE SUBCOMMITTEE REPEATING THAT THE NATURE OF TESTIMONY WOULD BE DISCLOSED WHEN THE COMMITTEE REPORTED ITS FINDINGS. THIS IS SLATED FOR SOMETIME BEFORE JAN. 9.

HAYS SAID, WHEN ASKED WHY THE ELABORATE SECURITY, THAT "THESE WALLS ARE PRETTY THIN AND TOO MANY TIMES I'VE COME OUT OF AN EXECUTIVE SESSION TO FIND THAT SOMEONE HAS REPORTED WHAT WENT ON."

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WASHINGTON CAPITAL NEWS SERVICE

8-28 (Rev. 1-28-66)

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UPI-69

(POWELL)

WASHINGTON--CONGRESSIONAL INVESTIGATORS SAID TODAY THEY HAD SUBPOENAED THE WIFE OF REP. ADAM CLAYTON POWELL, D-N.Y., TO ANSWER CHARGES THAT SHE PERFORMS "NO OFFICIAL DUTIES" IN RETURN FOR THE $20,578 PAY SHE RECEIVES AS A MEMBER OF HER HUSBAND'S HOUSE STAFF.

THE DISCLOSURE CAME AS A SPECIAL HOUSE SUBCOMMITTEE BEGAN CLOSED HEARINGS AS PART OF ITS INVESTIGATION OF ALLEGED IRREGULARITIES IN CONNECTION WITH POWELL'S CHAIRMANSHIP OF THE EDUCATION AND LABOR COMMITTEE AND OPERATION OF HIS OWN OFFICE.

THE SUBCOMMITTEE CHAIRMAN REP. WAYNE HAYS, D-OHIO, SAID HIS GROUP ALSO WOULD ASK MRS. YVETTE FLORES POWELL TO ANSWER CHARGES THAT HER JOB VIOLATES A HOUSE RULE REQUIRING THAT EMPLOYES OF CONGRESSMAN WORK EITHER IN THE MEMBER'S HOME STATE OR IN WASHINGTON, D.C.

MRS. POWELL LIVES IN PUERTO RICO.

HAYS MET WITH NEWSMEN BEFORE THE SUBCOMMITTEE BEGAN CALLING THE FIRST OF 17 CONGRESSIONAL EMPLOYEES IT HAS SUBPOENAED.

ELABORATE SECURITY PRECAUTIONS ACCOMPANIED THE HEARINGS. ABOUT A DOZEN UNIFORMED POLICEMEN WERE IN EVIDENCE, AND THE CORRIDOR IN WHICH THE HEARING ROOM IS LOCATED WAS BLOCKED OFF ON BOTH ENDS.

IN HIS OPENING STATEMENT, HAYS SAID THAT IN ADDITION TO THE CHARGES CONCERNING MRS. POWELL, THE SUBCOMMITTEE WANTED TO FIND OUT WHY:

--THE EDUCATION AND LABOR COMMITTEE EMPLOYED 149 INDIVIDUALS AT ONE TIME OR ANOTHER IN THE PAST TWO YEARS. HAYS SAID IT HAD BEEN SUGGESTED TO THE SUBCOMMITTEE THAT THIS MANY EMPLOYEES WAS "INCONSISTENT ANT INCOMPATIBLE" WITH THE COMMITTEE'S DUTIES AND RESPONSIBILITIES.

--THE COMMITTEE SPENT $73,000 FOR TRAVEL FROM JAN. 3, 1965 THROUGH SEPT. 30, 1966 WHILE THE AVERAGE AMOUNT OF MONEY SPENT FOR TRAVEL BY OTHER HOUSE COMMITTEES DURING THIS PERIOD WAS LESS THAN $15,000.

--THERE WAS "AN INORDINATE AMOUNT OF TRAVEL" BY COMMITTEE STAFF WORKERS ON WEEKENDS BETWEEN WASHINGTON AND MIAMI, AND BETWEEN WASHINGTON AND NEW YORK CITY. HAYS SAID THESE TRIPS WERE ALLEGEDLY ON OFFICIAL BUSINESS BUT THERE WAS NO EXPLANATION OF THE PURPOSE OF THE TRAVEL.

--TRAVEL VOUCHERS WERE SUBMITTED BY STAFF WORKERS CERTIFYING THAT THEY WERE AT A PARTICULAR PLACE ON A SPECIFIED DATE WHEN, IN FACT, IT APPEARED THAT THEY WERE SOMEWHERE ELSE.

--MONEY WAS SPENT ON TELEGRAMS NOT PROPERLY CHARGEABLE TO THE COMMITTEE.

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WASHINGTON CAPITAL NEWS SERVICE 35 JAN 5 1967

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THE HEARING

By ROBERT E. WALSH
Star Staff Writer

A House special subcommittee began questioning a score of witnesses today about six general types of "alleged irregularities" in payroll and travel expenditures of the Education and Labor Committee headed by Rep. Adam Clayton Powell, D-N.Y.

Powell, vacationing in the Bahamas, has been requested to testify Wednesday.

Powell's office indicated today that he would be willing to testify Wednesday but only under certain conditions. An aide told reporters that Powell probably would notify the subcommittee later today.

His wife, subpoenaed under the name of Y. Marjorie Flores, also is on the list of scheduled witnesses.

One of the areas to be probed by the subcommittee was outlined at the start of the closed hearing today by Rep. Wayne L. Hays, D-Ohio, as follows:

"That the name of Y. Marjorie Flores appears to be one of the clerks employed by member Adam C. Powell although said clerk is reported to perform no official duties for which compensation from appropriated funds is paid and that the services, if any, rendered by said clerk are not performed in the District of Columbia or in the member's state or district as required by law."

Last summer questions were raised as to whether Mrs. Powell's paycheck had been deposited to her husband's account in the bank maintained by the House sergeant-at-arms.

Powell said on Aug. 31: "I haven't had any complaints from her about it." He said her checks were sent to the sergeant-at-arms bank which has not joint accounts, and "I pay all her bills with my personal checks drawn on the account."

Most of the other witnesses listed by Hays for questioning today through Wednesday are staff employes of Powell's committee. On the list was Carrinne Annette Huff, a one-time beauty queen who is a secretary of Powell's. Powell's administrative assistant, C. Sumner Stone, also was subpoenaed.

Hays said the two-year spending survey showed that "apparently there are some things we should look into."

He added, however, that "not very much" was developed in the questioning of three witnesses which mainly concerned technical procedures in the handling of expense vouchers and payroll accounts of Powell's committee.

The first witnesses were a General Accounting Office representative — unidentified by Hays—Chief Clerk Julian Langston of the House Administration Committee and Miss Sylvia Glymph, a former clerk for Powell's committee. Other witnesses were to testify later today.

Hays reported that the subcommittee has not heard from Powell. He also said that subcommittee agents have been unable to serve subpoenas on two or three of the scheduled witnesses. He did not name them.

He indicated that Mrs. Powell, a resident of Puerto Rico, might testify tomorrow. Powell himself probably would not be subpoenaed if he failed to appear Wednesday, Hays said.

Most of the matters to be investigated by the subcommittee of the House Administration Committee have previously been disclosed, at least in general form by critics of Powell's committee. Besides the reference to Mrs. Powell, other main points stated by Hays today were:

"That during the 89th Congress the Committee on Education and Labor has reported as employed on its rolls a total 149 clerks. This large number of employed personnel has been suggested to this subcommittee to be inconsistent and incompatible with the duties and responsibilities assigned to the Committee on Education and Labor.

Travel Expenses Cited

"That expenditure from contingent funds for travel by the Committee on Education and Labor during the 89th Congress totaled $73,600 through Sept. 30, 1966, whereas the average expenditure of other committees of the House during this same period was less than $15,000.

62 JAN 5 1967

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"That an inordinate amount of travel by clerks of the Committee on Education and Labor is conducted on weekends between Washington, D.C., and Miami, Fla., and between Washington, D.C., and New York City, allegedly on official business of the committee but leaving unexplained the major objective or purpose of said travel.

"That travel vouchers have been submitted by clerks of the Committee on Education and Labor certifying to their presence at a particular location on a specified date when in fact it appears that said clerks were physically present at other locations.

"That expenditures from the contingent fund have been made upon vouchers submitted to cover the cost of telegraphic messages not properly chargeable to said fund."

"No Prejudgment"

Hays emphasized that the subcommittee was making no prejudgment of what he described as "alleged irregularities." He explained that the hearing would be in closed session unless any of the witnesses requested a public hearing.

Besides Mrs. Powell, Miss Huff, Miss Givens and Stone, others subpoenaed are:

Donald L. Anderson, Odell Clark, Louise M. Dargans, Russell C. Derrickson, Betty D. Ellison, Arora E. Harris, Will Henderson, Dorothy W. Himes, Malcolm R. LaPlace, Cleomine B. Lewis, James E. McCarthy, Michael Schwartz, Emma T. Swann, Alfredo Bidal and John E. Warren.

Hays said that Rep. William H. Ayres of Ohio, ranking Republican on the Education and Labor Committee, has been invited to testify if he wishes to do so.

6-19 (Rev. 8-15-66)

Powell Travel Investigators Hire Private Detective Firm

THE PROBE

By ROBERT WALTERS
Star Staff Writer

The House subcommittee investigating Rep. Adam Clayton Powell's travel expenses has hired one of the nation's largest private detective agencies to question Powell's present and former congressional employes.

The Wackenhut Corp., a Florida-based security firm, has been retained by the House Administration subcommittee headed by Rep. Wayne L. Hays, D-Ohio, which opened hearings today.

This arrangement is regarded as somewhat unusual because committees conducting similar investigations in recent years have relied on their own staff members or men loaned from federal agencies to do such work.

Several of those interviewed by the Wackenhut investigators have complained privately of harsh treatment, and at least one of those complaints has come to Hays' attention.

Hays said Wackenhut was hired because "the Federal Bureau of Investigation wouldn't do it and we had to get it done quickly."

Hays said the FBI was "informally requested" to conduct the probe by a member of the committee staff "but we just never got an answer from them."

An FBI spokesman said today Rep. Omar Burleson, D-Tex., chairman of the Administration Committee, wrote the Justice Department in late October requesting the assignment of FBI agents to the probe.

But the spokesman said the Justice Department turned down the request, although he did not know for what reason.

The use of a private investigator is in contrast to the procedure followed by committees handling the two most recent congressional investigations—those involving Sen. Thomas G. Dodd, D-Conn., and Robert G. (Bobby) Baker, former Senate Democratic [illegible]

REP. ADAM C. POWELL
Under Probe

The Senate Rules Committee, in its probe of Baker's financial affairs, drew on the services of its own staff, the FBI and the General Accounting Office.

The Senate Select Committee on Standards and Conduct, still investigating Dodd's finances, relied on its own staff and men borrowed from the General Accounting Office.

Allen H. Crawford, in charge of Wackenhut's Washington office, said his firm had never before been employed by a congressional committee.

The 13-year-old firm, with its home office in Coral Gables, Fla., has about 5,000 employes and 27 field offices from Puerto Rico to Hawaii.

Most of the company's officers are former FBI special agents. The firm employs about 30 ex-FBI men, including its president, executive vice president and Crawford.

Queried on Age

Hays said he had seen one Administration Committee report on a woman interrogated by Wackenhut investigators who said she "didn't like their attitude."

Hays said the detectives apparently had asked for the woman's age, which he said was unnecessary for the purposes of the House probe, and she had refused to tell them.

Although Hays said he knew of no other dissatisfaction with the investigators, some Powell employes who asked that they not be identified said the private detectives were unnecessarily tough in their questioning.

"I don't stand for anybody being pushed around. If there's any evidence that they(the Wackenhut employes) don't comply with our standards, I'll take action. I'm willing to do something really drastic if they were rough," Hays said.

Hays declined to comment on the scope of the probe, but other sources said six to ten private investigators from field offices in Puerto Rico, New York, Florida, California, Georgia and Massachusetts worked on the case.

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ADAM CLAYTON POWELL

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UPI-107
ADD 3 POWELL, WASHINGTON

POWELL SAID TODAY HE WOULD NOT TESTIFY AT THE INQUIRY UNLESS OTHER COMMITTEES AND CHAIRMEN ALSO WERE INVESTIGATED.

POWELL'S CONDITIONS WERE TERMED "UNACCEPTABLE" BY HAYS.

THE SUBCOMMITTEE HAD INVITED POWELL TO APPEAR AT CLOSED SESSION ON WEDNESDAY.

POWELL IS VACATIONING ON THE ISLAND OF BIMINI IN THE BAHAMAS. HIS RESPONSE TO THE HAYS' INVITATION WAS CONTAINED IN A LETTER WHICH HAYS RECEIVED BETWEEN THE MORNING AND AFTERNOON SESSIONS OF TODAY'S HEARING.

IN HIS LETTER POWELL SAID HE WAS "UNHAPPILY CONSTRAINTED TO REQUEST THAT, IN THE INTEREST OF FAIR PLAY" CERTAIN CONDITIONS BE ESTABLISHED FOR HIS APPEARANCE BEFORE THE SUBCOMMITTEE.

THE FIRST CONDITION POWELL SAID, WAS THAT "THE INVESTIGATION INCLUDE A COMPARATIVE ANALYSIS OF THE TRAVEL VOUCHERS OF STAFF MEMBERS OF OTHER FULL COMMITTEES AND SUBCOMMITTEES, INCLUDING YOUR OWN."

POWELL'S SECOND CONDITION STATED THAT: "THE INVESTIGATION INCLUDE A COMPARABLE ANALYSIS OF THE TRAVEL UNDERTAKEN BY ALL OTHER COMMITTEE AND SUBCOMMITTEE CHAIRMEN."

HAYS TOLD NEWSMEN HIS GROUP WAS INVESTIGATING ONLY POWELL'S COMMITTEE BECAUSE THAT WAS THE ONLY COMMITTEE UPON WHICH IT HAD RECEIVED COMPLAINTS. "IF HE WANTS TO MAKE A CHARGE WE'LL LOOK INTO IT," HAYS SAID.

POWELL ALSO ASKED HAYS TO TEMPORARILY POSTPONE ALL FORMAL HEARINGS INVOLVING COMMITTEE STAFF EMPLOYEES AND SET DOWN AS ONE OF HIS CONDITIONS THAT NONE OF THEM BE REQUIRED TO TESTIFY UNTIL THE INVESTIGATION WAS BROADENED.

IN HIS LETTER POWELL SAID HE HAD RECEIVED SEVERAL WELL DOCUMENTED REPORTS INDICATING SPECIFIC IMPROPRIETIES BY THE SUBCOMMITTEE'S INVESTIGATORS.

"THESE REPORTS REVEAL THAT STAFF MEMBERS HAVE BEEN PILLORIED, ASKED PERSONALLY EMBARRASSING QUESTIONS CONCERNING MATTERS WHICH HAVE NO RELATION TO THE INVESTIGATION AND THAT THE SUBCOMMITTEE INVESTIGATORS HAVE OPERATED FROM THE PRESUMPTION THAT ALL OF THE COMMITTEE STAFF MEMBERS HAVE NO INTEGRITY," POWELL SAID.

"SEVERAL STAFF MEMBERS HAVE EVEN BEEN ASKED INTIMATE QUESTIONS AND DETAILS CONCERNING MY PERSONAL LIFE," POWELL ADDED. "THIS REPRESENTS AN UNCONSCIONABLE ABUSE OF MY RIGHT TO BE FREE FROM AN INVASION OF PRIVACY, A RIGHT WHICH I AM CONFIDENT YOU VALUE AS TENDERLY AS I DO.

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WASHINGTON CAPITAL NEWS SERVICE

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POWELL CHARGED THAT PERSONALLY WAS THE "OBVIOUS TARGET OF THE INVESTIGATION" AND CALLED IT A SORRY COMMENTARY ON THE SENSE OF FAIR PLAY CONGRESS WAS SUPPOSED TO EXTEND TO ALL OF ITS COLLEAGUES.

"I FEEL DEEPLY THAT THE CONSPIRATORIAL TARNISHMENT OF MY NAME MUST BE MILITANTLY FOUGHT AND WHATEVER POSSIBLE MEASURES TO PROTECT MY NAME MUST BE UNDERTAKEN," HE STATED.

POWELL CLOSED THE "MY DEAR WAYNE" LETTER "WITH EVERY GOOD WISH FOR THE HOLIDAY SEASON."

HAYS DENIED THAT ANY CONSPIRACY AGAINST POWELL WAS UNDERWAY.

"NOBODY ON THIS SUBCOMMITTEE HAS TRIED TO TARNISH MR. POWELL'S NAME," HE SAID. "NOBODY ON THIS SUBCOMMITTEE ASKED FOR THE JOB. IT WAS MEMBERS OF HIS OWN COMMITTEE THAT MADE THE CHARGES."

HAYS SAID THE FIRST CHARGES RECEIVED BY THE HOUSE ADMINISTRATION COMMITTEE CAME FROM REP. SAM GIBBONS, D-FLA., A MEMBER OF POWELL'S EDUCATION AND LABOR COMMITTEE WHO HAS BEEN FEUDING WITH THE CHAIRMAN FOR ALMOST A YEAR.

AMONG HIS CONDITIONS, POWELL ASKED THAT HE BE PERMITTED TO READ INTO THE RECORD CERTAIN ARTICLES. ONE, WRITTEN BY WALTER PINCUS AND DON OBERDORFER FOR LIFE MAGAZINE IN 1960, IS ENTITLED "HOW CONGRESSMEN LIVE HIGH OFF THE PUBLIC."

ANOTHER WAS A MARCH 4, 1966, CONGRESSIONAL QUARTERLY ARTICLE ON CONGRESSIONAL FOREIGN TRAVEL ENTITLED "NEARLY HALF OF CONGRESS TAKES U.S. PAID TRIPS."

POWELL ALSO ASKED TO INSERT INTO THE RECORD A SERIES OF ARTICLES BY VANCE TRIMBLE ON CONGRESSMEN WHO HAVE RELATIVES ON THEIR PAYROLLS. THE ARTICLES WERE PUBLISHED IN 1959.

ANOTHER CONDITION OF POWELL'S WAS THAT HIS LAWYER BE PERMITTED TO CROSS-EXAMINE "CERTAIN CONGRESSMEN WHOSE TRAVEL AND ACTIVITIES RELATE DIRECTLY TO THE EDUCATION AND LABOR COMMITTEE."

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ADD 4 POWELL, WASHINGTON
NO WHERE DID POWELL SAY DIRECTLY THAT HE WOULD NOT APPEAR UNLESS HIS CONDITIONS WERE MET. BUT THIS WAS IMPLICIT IN THE "CONDITIONS" OR "STIPULATIONS" HE LAID OUT. SOURCES CLOSE TO POWELL CONFIRMED THAT THIS WAS JUST WHAT HE MEANT.
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WASHINGTON CAPITAL NEWS SERVICE

Powell Domestic as on House Payroll

'Clerk' Worked as Maid

By JACK STEELE
Herald Staff Writer

A 20-year-old Negro girl has informed House investigators she worked as a "domestic" at Rep. Adam Clayton Powell's hideaway in the Bahamas last autumn while employed as a "clerk" for his House Education and Labor Committee.

Members of the House Administration Sub-committee investigating charges of lavish travel by the Powell Committee's staff said today the testimony came from Miss Sylvia J. Givens, who now is working as a telephone operator here. She testified at a closed-door hearing yesterday.

Miss Givens, who apparently was flown back and forth to Rep. Powell's Bimini island retreat at taxpayers' expense, said she worked for only two weeks as a maid at his cottage there before she was sent back and fired, subcommittee members said.

REJECTED DEMAND

Her testimony came as the Sub-committee unanimously rejected Rep. Powell's demand that it look into travel and other expenditures by all other House Committees before holding hearings on travel expenses of the Education and Labor Committee.

Rep. Powell set this as a pre-condition for his own appearance.

The Sub-committee's action indicates Rep. Powell will not appear before the group to defend himself and his Committee Staff.

But in a letter to Rep. Wayne Hays (D., O.), the Sub-committee "unspiritorial furnishment" of his memo.

EVIDENCE

Miss Givens testified, that she was hired for the staff of Rep. Powell's committee last August as [redacted] "clerk-domestic." Her salary was [redacted]

She said she later was asked by Odell Clark, the Committee's chief investigator, if she were willing to go to Rep. Powell's vacation retreat in Bimini to work as a maid. She agreed.

Miss Givens testified she was then given an airline ticket to New York City, met at the airport there and taken to Rep. Powell's Abyssinian Baptist Church in Harlem.

BEAUTY QUEEN

There, she said, she met Rep. Powell and Miss Corrinne Huff, a former beauty queen and a $19,320-a-year staff member of the Education and Labor Committee, with whom she said she flew to Bimini.

Miss Huff, who has been described as Rep. Powell's "girl friend," frequently has been seen with him in Bimini. She also has accompanied him on other trips abroad.

Miss Givens told the Subcommittee she was given no reason for being fired after she was sent back by Rep. Powell. In all, she testified, she was on the Committee payroll for less than six weeks.

Odell Clark, named by Miss Givens as having arranged for her to go to Bimini as Rep. Powell's [redacted], was summoned before the Subcommittee at an [redacted] session last night. His testimony was not revealed.

VACATION TRIP

Chairman Hays said Mr. Clark had asked to testify last night so his appearance would not disrupt h s plans for a vacation trip.

Rep. Powell's wife, the former Yvette Flores, who also is on the Committee payroll at $20,575-a-year altho she lives in Puerto Rico, has been subpenaed to testify before the Sub-committee.

Rep. Hays said Mrs. Powell had notified the Sub-committee last week she would appear, but yesterday sent another telegram saying: "Cannot appear at public session." Rep. Hays said the hearings would be closed unless witnesses ask to [redacted] public.

C. Sumner (Clinch) Stone, a top Powell aide and spokesman, was questioned by the Sub-committee for nearly two hours yesterday, as was Mrs. Louise M. Dargans, long a member of the Powell Committee's staff.

In his letter to Rep. Hays, Rep. Powell made it clear he plans to answer the Sub-committee's charges primarily with countercharges that other Committee staffs and congressmen — including Rep. Hays — have traveled widely at taxpayers' expense.

He cited a Life magazine article published in 1960 in which Rep. Hays was accused of using funds provided by

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Congress for the NATO interparliamentary conference for 39 trips between Washington and Pittsburgh and 17 flights between Washington and Wheeling, W. Va. The Pittsburgh and Wheeling airports are those closest to Rep. Hays' home in Flushing, O.

He also cited 1959 articles by Vance Trimble, a Scripps-Howard reporter, on Congressional payroll abuses which quoted Rep. Hays as indirectly defending nepotism.

CORRINE HUFF

MRS. POWELL

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UPI-78 ADAM CLAYTON

ADD 1 POWELL, WASHINGTON (UPI-34)

HAYS SAID A YOUNG WOMAN PUT ON POWELL'S COMMITTEE TESTIFIED THAT SHE WAS FLOWN TO THE HARLEM DEMOCRAT'S VACATION HIDEAWAY IN THE BAHAMAS AND WORKED FOR TWO WEEKS AS A COOK AND MAID. D.C.

HAYS TOLD NEWSMEN AFTER THE CLOSED SESSION THAT SYLVIA GIVENS WAS ON THE COMMITTEE PAYROLL FOR ALMOST FIVE WEEKS LAST AUGUST.

HAYS BRIEFED NEWSMEN THIS NOON ON MAJOR FINDINGS OF HIS SUBCOMMITTEE SINCE IT BEGAN ITS CLOSED HEARINGS MONDAY. IN ADDITION TO THE HIRING OF MISS GIVENS, HE SAID TESTIMONY DISCLOSED THAT:

--POWELL DIRECTED EMPLOYEES TO PURCHASE AIRLINE TICKETS THROUGH THE COMMITTEE'S ACCOUNT UNDER THEIR NAME BUT WHICH THEY NEVER USED.

--POWELL'S SON, ADAM JR., AND TWO OTHER PERSONS NOT EMPLOYED IN CONGRESS TOOK FLIGHTS PAID FOR BY COMMITTEE FUNDS. HAYS SAID YOUNG POWELL MADE ONE TRIP, FROM WASHINGTON TO NEW YORK CITY. D.C.

--ONE COMMITTEE EMPLOYEE WAS UNABLE TO EXPLAIN TO THE INVESTIGATORS HOW HE COULD BE IN LOS ANGELES AND MIAMI AT THE SAME TIME. HAYS SAID AN AIRLINE TICKET SHOWED THAT THE EMPLOYEE FLEW FROM MIAMI TO NEW YORK ON THE SAME DAY SUBSISTENCE VOUCHER SHOWED HIM PHYSICALLY PRESENT IN LOS ANGELES.

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JAN 10 1967

WASHINGTON CAPITAL NEWS SERVICE

THE SUBCOMMITTEE QUESTIONED FOUR STAFF EMPLOYEES TODAY.
ASKED WHAT CONCLUSIONS HE DREW FROM THE FINDINGS, HAYS REMARKED: "THEY SPEAK FOR THEMSELVES."

THE OHIO DEMOCRAT DECLINED TO SAY WHETHER THE ALLEGED ACTIONS WERE ILLEGAL BUT HE SAID HE THOUGHT THEY WERE "CERTAINLY UNETHICAL."

HAYS ALSO COMMENTED THAT IT WOULD BE HELPFUL IF POWELL COULD EXPLAIN THE FINDINGS TO THE SUBCOMMITTEE.

MISS GIVENS WAS THE FIRST WITNESS TO TESTIFY ON MONDAY. HAYS SAID SHE WAS HIRED IN AUGUST, SPENT FOUR WEEKS AND FOUR DAYS ON THE COMMITTEE PAYROLL, AND THEN WAS DISMISSED. HE SAID SHE TESTIFIED THAT SHE DID NOT KNOW WHY SHE WAS DISCHARGED.

THE YOUNG WOMAN WORKED FOR TWO WEEKS ON BIMINI AS HOUSEKEEPER AND COOK AND ACCORDING TO HAYS "PERFORMED NO OFFICIAL DUTIES WHILE THERE." THE REMAINDER OF HER EMPLOYMENT WAS SPENT IN WASHINGTON, HAYS SAID.

MISS GIVENS RECEIVED ABOUT $256 AFTER DEDUCTIONS FOR ONE MONTH'S SERVICE.

HAYS WAS ALSO ASKED THAT IN VIEW OF THE FINDINGS WHAT WOULD BE DONE TO RESTRICT TRAVEL BY MEMBERS OF THE EDUCATION AND LABOR COMMITTEE.

HAYS SAID THE ADMINISTRATION COMMITTEE WOULD CONTINUE TO DO WHAT IT HAS BEEN DOING SINCE EARLY AUTUMN WHEN ALLEGATIONS OF IMPROPRIETIES WERE FIRST RAISED. AT THAT TIME THE ADMINISTRATION COMMITTEE, WHICH CLEARS ALL COMMITTEE SPENDING, SUSPENDED THE AIRLINE CREDIT CARDS OF THE EDUCATION AND LABOR COMMITTEE AND REQUIRED THAT ALL TRIPS FIRST BE APPROVED BY IT.

ONE OF TODAY'S WITNESSES WAS ALFREDO VIDAL, DESCRIBED BY HAYS AS A ONE-TIME EDUCATION AND LABOR COMMITTEE EMPLOYEE AND A POLITICAL LEADER IN PUERTO RICO. P.C

HAYS SAID VIDAL WAS HIRED AS AN INVESTIGATOR BUT SAID HE NEVER DID ANYTHING EVEN THOUGH HE WAS ALWAYS AVAILABLE FOR WORK. FINALLY, ACCORDING TO HAYS, VIDAL WAS TOLD THAT HE WOULD HAVE TO MOVE IN WASHINGTON IF HE WANTED TO STAY ON THE PAYROLL. TIS PROVED TO BE IMPOSSIBLE, HAYS SAID, AND VIDAL LEFT THE COMMITTEE.

HAYS SAID VIDAL FRANKLY ADMITTED THAT HE NEVER DID ANYTHING FOR THE COMMITTEE AND HAYS CREDITED HIM WITH BEING HONEST ENOUGH TO SAY SO.

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UPI-80
2ND ADD POWELL, WASHINGTON
"I'LL BE PILLORIED FOR SAYING THIS," HAYS TOLD NEWSMEN, "BUT IF WE COULD BRING IN EVERY GOVERNMENT EMPLOYEE...AND GET THEM TO BE AS HONEST AS MR. VIDAL WE'D FIND A LOT OF PEOPLE WHO ARE PHYSICALLY SHOWING UP FOR WORK EVERY DAY AND DOING NOTHING."
HAYS SAID HE INCLUDED GOVERNMENT EMPLOYEES BOTH IN CONGRESS AND IN THE EXECUTIVE BRANCH.
12/20--TM131PES

WASHINGTON CAPITAL NEWS SERVICE

6-19 (Rev. 6-15-66)

House Probe Bars Powell Conditions

By Richard L. Lyons
Washington Post Staff Writer

Rep. Adam Clayton Powell (D-N.Y.) charged from the Bahamas yesterday that the House investigation of his official travel and payroll was an attempt to tarnish his name and harass his staff.

But Powell agreed to testify under certain conditions which the investigation subcommittee promptly and unanimously rejected. One was that Powell be allowed to put in the record several published articles describing junketing by other Congressmen, including the subcommittee chairman, Rep. Wayne L. Hays (D-Ohio).

Powell closed his blistering letter to Hays with a typical flourish—"With every good wish for the holiday season."

While Powell took the sun at Bimini and grabbed the headlines, Hays' subcommittee began three days of closed hearings to sort out pay and travel vouchers and try to decide whether the money was properly spent on public business.

In addition to what the subcommittee said appeared to be an "inordinate amount" of weekend travel by Powell and his committee staff between Washington, New York and Miami, there is the matter of Powell's estranged wife, Yvette Marjorie Flores, who is on his congressional payroll at $20,878 a year. She lives in Puerto Rico, where she reportedly handles mail from Spanish-speaking constituents in Harlem.

Law requires a congressional employe to work in Washington or the Congressman's home state. She is scheduled to testify today.

The 19 staff members subpoenaed from Powell's committee or his congressional office also include Corrinne A. Huff, former Miss Universe [illegible] who is on Powell's congressional payroll at $19,000 a year and has accompanied him on some trips.

In his letter, Powell said he had received reports that his staff members questioned by Hays' investigators had been "pilloried, asked personally embarrassing questions which have no relation to the investigation" and treated as though they were presumed guilty.

"Knowing you as an eminently fair person," wrote Powell, "I am appalled that you would condone a sweeping and unsubstantiated indictment" of top members of the Education and Labor Committee staff. "The conclusion is inescapable that Committee staff members are being made scapegoats."

Hays said that at yesterday's hearing, C. Sumner Stone, special assistant to Powell and the staff member closest to him, was asked if he felt the subcommittee had made him a scapegoat. He said Stone replied that he did not unless he turned up as a scapegoat in its report. Hays said Stone also said he felt the fact that the hearings were closed was evidence of good faith.

Powell's statement that his staff had been questioned apparently referred to private detectives of the Wackenhut Corp. hired to ascertain whether the 149 persons listed as having worked for Powell's Committee at one time or another in the last two years actually worked there. Hays said Committee lawyers hired the private agency because they had no investigative staff. Every employe checked so far was a bona fide worker, Hays said.

Powell also complained that his staff members have "even been asked intimate questions and details concerning my personal life." He called this an "unconscionable . . . invasion of privacy." He called the investigation, of which "I personally am the obvious target," a "sorry commentary on the sense of fair play" Congress should extend to all members.

"I feel deeply that the conspiratorial tarnishment of my name must be militantly fought," wrote Powell.

His other conditions for testifying were that his lawyer be allowed to cross examine [illegible] of the Education and Labor Committee on their travel, and that Hays' subcommittee make a similar study of travel by all other committees.

Hays replied that no complaints had been made about other committees, but that they averaged $18,000 for the last two years compared to $73,000 for Powell's Committee.

Hays said the subcommittee was not interested in Powell's personal life. He refused to release any information received from witnesses yesterday.

One of the articles Powell wanted placed in the record stated that in 1958-59 when Hays was chairman of a House delegation to a NATO parliamentary conference, 47 plane trips between Washington and the airports serving Hays' home town were charged to the NATO account. On another occasion Hays took with him on a trip to Europe the headwaiter of the House restaurant, Ernest Petinaud, as a liaison aide.

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File 6

The Washington Post and Times Herald A1
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date

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Powell also faces the threat of jail and possible loss of his seat in the House for failure to pay $164,000 judgment to a Harlem widow he was found guilty of slandering. If he goes to New York he can be jailed for contempt. If he is still under a court jail order when Congress meets Jan. 10, a motion will be made to refuse him his seat.

United Press International

LETTER FROM POWELL—Chairman Wayne Hays of the special House subcommittee investigating activities of Rep. Adam Clayton Powell, displays a letter Powell sent in reply to an invitation to appear before the subcommittee. The investigation began yesterday.

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Probers Told of Powell Aide's Jaunts at Taxpayers' Expense

Trips on the House?

By JACK STEELE
Copyright-Howard Staff Writer

A receptionist in Rep. Adam Clayton Powell's office here made three round-trip flights to Miami at the expense of his House Education and Labor Committee to go "sightseeing and shopping." D.C. FLA

The receptionist, Mrs. Emma T. Swann, testified about her passers' jaunts to Miami at taxpayers' expense — she purchased the tickets with an air travel card issued to Rep. Powell's committee — before the House Administration Subcommittee investigating travel by members of Rep. Powell's staff.

Sub-committee Chairman Wayne L. Hays (D., O.) told reporters Mrs. Swann admitted "frankly" she had not taken the Miami trips on "Committee business."

Asked why she had made the trips, Hays said: "In her own words: "I went sightseeing and shopping.'"

Rep. Hays said Mrs. Swann had denied any knowledge of some 20 other airline trips — including three more to Miami — which also were charged to the Powell Committee on her travel card. Mrs. Swann swore she did not make these trips and didn't know who did, he said.

In other developments:

Rep. Hays confirmed that Miss Sylvia J. Givens worked for two weeks as a "housekeeper and cook" at Rep. Powell's hideaway cottage in the Bahamas last August while on Rep. Powell's Committee payroll as a "clerk."

Rep. Hays said that two months later on Oct. 28 — after the subcommittee's probe was underway — Rep. Powell sent his own Committee a check for $541. The check was "restitution" for round-trip flights to Bimini of Miss Givens, himself and Corrine Huff, another Committee staffer who Rep. Hays said he assumed is now in Bimini with Rep. Powell.

MISS HUFF

Rep. Hays noted that the Subcommittee had been unable to serve a subpena on Miss Huff because she is outside the continental United States.

Sub-committee members said there was no indication Rep. Powell had repaid his Committee for Miss Givens' salary of about $100 a week while she worked as his maid.

Rep. Hays revealed that Rep. Powell's son, Adam Clayton Powell, III, 21, also flew from here to New York last year along with two "friends" and a member of Rep. Powell's office staff — all at Committee expense. The airline tickets for the flight on March 28, 1965, were charged to airline credit cards issued to four members of the Powell Committee Staff.

The Sub-committee has been unable as yet to find out who made scores of flights charged to airline credit cards issued to Powell Committee staffers, including Mrs. Swann, who deny that they made the trips.

NOT USED

About a dozen such tickets, including five for flights from New York to Miami charged to the credit card of C. Sumner (Chuck) Stone, Rep. Powell's top Committee aide, have not yet been used. Mr. Stone said today he had never seen the tickets and didn't know what had happened to them. Presumably they could be used at any time.

Rep. Powell and Miss Huff have repaid the Education and Labor Committee $197 each for flights they made to Oklahoma City earlier this year and charged to the Committee. Rep. Powell went to Oklahoma City to make a speech.

Rep. Hays noted Rep. Powell had repaid his Committee only $831 for flights out of some $73,000 worth of airline tickets being investigated by the Subcommittee.

Rep. Powell's Puerto Rican Wife, Yvette, failed to appear yesterday in answer to a subpena but the Subcommittee sent her a telegram directing her to appear Dec. 20. Members said she might be cited for contempt of Congress if she failed to show up then. She also is on the Powell Committee's payroll at $20,578 a year but her paychecks have been deposited recently in Rep. Powell's bank account, members reported.

WINDUP

The Hays Subcommittee is expected to wind up its hearings today after questioning more Powell staffers.

The evidence it has assembled may be used to back up moves to block Rep. Powell from taking his House seat when Congress reconvenes Jan. 10.

Rep. Lionel van Deerlin (D., Calif.) said yesterday he was determined to go thru with his plan to ask the House to "exclude" Rep. Powell from his seat until he purges himself of a conviction for "criminal contempt" in the New York courts. The case grew out of a [redacted] against Rep. Powell which he has failed to pay.

Rep. van Deerlin said that, after an investigation in New York, he believed there was "not an iota of a chance" that Rep. Powell could purge himself of the contempt before Congress meets.

The effort to block Rep. Powell from taking his seat may depend, however, on the position taken by Speaker John McCormack (D., Mass.) and other House leaders.

Informal polls indicate growing House sentiment to bar Rep. Powell from his seat — if Mr. McCormack permits Rep. van Deerlin to bring his motion to a vote.

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The Washington Post and Times Herald
The Washington Daily News 2
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
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JAN 5 1967

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Powell Not Getting Wife's Salary Now

By JOSEPH A. LOFTUS
Special to The New York Times

WASHINGTON, Dec. 21.—Representative Adam Clayton Powell's estranged wife, who is on his office payroll at $20,578 a year, is now receiving her salary checks at her home in Puerto Rico, House investigators said today.

The checks for Mrs. Powell previously had been going into the Manhattan Democrat's personal account in the Sergeant-at-arms' office, according to Representative Wayne L. Hays, Ohio Democrat, who is chairman of the administration subcommittee that is investigating Mr. Powell's official spending.

Mrs. Powell's payroll name is Y. Marjorie Flores. On Nov. 23 she wrote the finance office of the House, asking it to send her checks to a Puerto Rican address. Mr. Hays said the clerk of the House sent her November and December checks there. She had complained to friends that she had not received any money from her husband for nine months.

Former employes of Mr. Powell said Miss Flores worked in his Washington office as a secretary before they were married about five years ago, but not since then.

Mr. Hays' group recessed today until Dec. [illegible], when Mrs. Powell has been ordered to appear.

Restrictions Noted

The subcommittee wants to know what she does for her salary. Under the law, the official staff of a member of Congress is limited to work in the District of Columbia [illegible] in the members's st[illegible] are no penalties for [illegible], however.

The group also wants to know whether Mrs. Powell ever gave her husband, orally or otherwise, power of attorney to deposit her salary checks in his own account.

Mr. Hays reported further evidence of trips taken by persons on tickets issued to others and charged to the Education and Labor Committee, which Mr. Powell heads.

Twenty-six trips between Washington and New York were charged under the name of Russell C. D[illegible] director of the [illegible], Representative Hays said Mr. Derrickson "testified he made none [illegible]

"Who made the trips?" Mr. Hays was asked at a news conference after the hearing.

"Well, we don't know," he replied. "He [Mr. Derrickson] loaned his credit card, on instructions of the chairman [Mr. Powell], to Mr. Odell Clark."

Mr. Clark, chief investigator for Mr. Powell's committee, has a New York apartment and has testified that he shares the apartment with Mr. Powell.

No Identification Needed

Unless those "who made the trips say so, we probably never will find out," Mr. Hays declared. He pointed out that when a traveler boards a commercial plane and produces a ticket, the airline does not ask him to identify himself.

Representative Hays said he did not know whether it was his subcommittee's function to hire handwriting experts to determine whether signatures had been forged on the credit slips that persons must sign to get a ticket.

Mr. Hays estimated that of the 150 trips about which he had taken testimony, half or more had been charged in the name of persons who testified they had not taken such trips.

That in itself is not necessarily evidence that the trips were taken for personal reasons. Mr. Clark, for example, did not have a credit card in his own name and if he made the trips on committee business it would be difficult to support any charge of illegality simply because a fellow staff member's credit card had been used.

"I think we're going to make some recommendations about how they—all committees—use all the credit cards," Mr. Hays said. The Education and Labor Committee had 22 such cards, and the House Administration Committee has told the airlines it will not pay any more bills charged to those cards.

Western Union Bill an Issue

The subcommittee also is looking into a Western Union bill for $4,136 for delivery of a message sent by Representative William H. Ayres, Ohio Republican, to all members of the House. It is understood the message was sent in July, 1965, during debate on antipoverty legislation.

Mr. Ayres is ranking minority member of the Education and Labor Committee, which handles that legislation. Mr. Powell approved the Western Union bill and it was paid.

Mr. Ayres sent a letter to Mr. Hays explaining the purpose of the telegram. Mr. Hays did not make the letter public, but said it contained a suggestion that somebody ought to [illegible] into Western Union's rates. [illegible] Western Union representative testified before [illegible] Mr. Hays said [illegible]

[illegible] company men, asked by [illegible] about rates for delivering telegrams originating [illegible] the Capitol to members' offices, referred the questions to the company's published rates.

Chairman Hays, asked about the cost of his investigation, said it was limited to the $25,000 appropriated for it. He said he had advised the Wackenhut Corporation, a security investigation concern, to limit its charges to $3,000.

The company had been assigned to determine whether the [illegible] persons listed on the Education and Labor Committee in payroll at various times in the last two years actually existed. Mr. Hays said that so far the answer was "yes" in all cases.

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The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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Powell Investigation:

Committee Will Recommend the Case Be Referred to Justice Dept. for 'Investigation and Possible Prosecution'

By JACK STEELE
Scripps-Howard Staff Writer

The free-wheeling use of funds of Rep. Adam Clayton Powell's House Education and Labor Committee for personal travel may be referred to the Justice Department for investigation and possible prosecutions.

A House Administration Sub-committee, which wound up its closed door hearings yesterday, will recommend that evidence it uncovered of widespread misuse of airline credit cards issued to the Powell Committee be sent to the Justice Department. Its report will be submitted to the House when it reconvenes Jan. 10.

Sub-committee members said today they were convinced the Government had been defrauded by the use of Powell Committee funds to pay for both personal travel by Committee personnel and by persons not employed by the Committee or Congress.

100 FLIGHTS

Sub-committee Chairman Wayne L. Hays estimated that as many as 100 flights—most of them between here and New York and Miami—had been charged to the Committee on credit cards issued to [illegible] who denied making such [illegible].

In some cases the [illegible] testified they were [illegible] Rep. Powell, who is [illegible] the Education and Labor Committee, to use their credit cards to purchase the tickets.

Sub-committee members said they were convinced the misuse of the air travel cards, in some instances, had violated Federal statutes, including the so called "false statements" and "false claims" acts.

A Justice Department investigation, which might involve Rep. Powell and his top Committee aides, could be a serious blow to Rep. Powell's chances of retaining his House seat.

'FIGHT MOVES'

[illegible] associates were quoted yesterday as saying Rep. Powell will 'fight' moves to force him to "stand aside" when other members of the House are sworn in Jan. 10.

But some of his House colleagues predicted that Rep. Powell won't show up on the House floor for the opening of Congress.

Rep. Powell, who has been living at a Bahamas hideaway, is subject to possible arrest for "criminal contempt" of the New York state courts if he returns to the U. S. His conviction and 30-day jail sentence resulted from his failure to pay a $164,000 judgment for defamation of character.

Rep. Hays conceded that his Sub-committee had not been able to find out in many cases who actually used the airline tickets charged to the Powell committee — and therefore the taxpayers.

He cited the case of 36 Washington New York flights charged to the credit card of Russell C. Derrickson, the Committee's staff director.

Rep. Hays said Mr. Derrickson testified yesterday that he made none of the flights and had no idea who used the tickets.

[illegible] was signed to the tickets purchased with his Committee credit card, Mr. Derrickson swore the signatures were not in his handwriting.

Other Sub-committee members noted that the Justice Department and FBI, by using handwriting experts and other investigative techniques, might determine who signed for and actually used the tickets.

The Sub-committee [illegible] uncovered several cases [illegible] which Rep. Powell and [illegible] members used committee credit cards to purchase airline tickets for trips which apparently were not on committee business.

✓ Rep. Powell, Miss [illegible] Huff, a staff member, [illegible] Sylvia J. Givens, who [illegible] she was hired as a clerk but worked as a maid at Rep. Powell's Bimini retreat, used tickets purchased with committee credit cards to fly from New York to Miami. Rep. Powell refunded the cost of these tickets, but only after the Sub-committee began its investigation.

✓ Mrs. Emma T. Swann, a receptionist in Rep. Powell's office, made three "sightseeing and shopping" trips to Miami and charged them to Committee air travel cards.

✓ Rep. Powell's son, Adam Clayton Powell 3d, and two "friends" flew from here to New York on tickets purchased with Committee credit cards. Mrs. Louise Dargans, the Committee clerk, gave the Sub-committee details about this flight and the names of the "friends."

✓ C. Sumner Stone, a top Powell aide, and his wife flew to Miami on tickets purchased with Committee credit cards. Mrs. Stone's ticket was charged to the card of another Committee staffer. The [illegible] reportedly have made restitution to the Committee for [illegible] flights.

✓ Also after the investigation began, Rep. Powell and Miss Huff repaid the Committee $197 each for flights they made to Oklahoma City [illegible].

Sub-committee members noted that repayment of some of [illegible] for [illegible] would not necessarily rule out prosecutions if any laws were violated. (See Editorial on page 24.)

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Mr. [illegible]
Mr. [illegible]
Mr. Casper
Mr. Callahan
Mr. [illegible]
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Washington Daily News
Thursday
December 22, 1966

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Rep. Powell A Key Figure In Hill Suit

Question Concerning Contribution Ended Contract Dispute

By Paul W. Valentine
Washington Post Staff Writer

The [illegible] Rep. Adam Clayton Powell has cropped up as a key figure in a now closed court case involving a charge by a stenographic reporter that a colleague snatched exclusive rights to report the hearings of Powell's House committee.

In September, 1964, Karl F. Veley, then an independent stenographer and now an official House reporter, filed a $100,000 damage suit in U.S. District Court here, claiming veteran colleague Harold B. Alderson breached an orally made partnership agreement to split the work on Powell's Education and Labor Committee 50-50.

He said Alderson used "wrongful and devious means" by "surreptitiously securing for (his) own benefit the valuable contract heretofore operated for the benefit of both parties as partners."

Alderson, in an answer filed Oct. 27, 1964, denied any partnership existed, describing his relationship with Veley as a "limited joint venture." He denied using wrongful means to oust Veley from the lucrative job.

In a pretrial deposition on Nov. 24, 1964, Alderson said Committee staff director Russell C. Derrickson told him that Powell wanted Veley "out of the picture."

Veley's lawyer, Karl G. Feissner, asked Alderson on cross examination if he made any "political contributions" to Powell after Veley was ousted.

Alderson's lawyer, W. Frank Stickle Jr., immediately objected, instructing his client not to answer the question. He said it was "not relevant to the inquiry."

Question Unanswered

Feissner promptly filed a [illegible] Distrito Court to [illegible] Alderson [illegible] answer the question. Alderson asked for two extensions of time to respond to the motion, the second extension running to Jan. 25, 1965. On Jan. 28, 1965, while the motion was still pending, the suit was abruptly dismissed, court records show.

Feissner's question about political contributions thus was never answered.

Feissner confirmed yesterday that the case was settled out of court in January, 1965. "There was a deposition which Mr. Veley found acceptable," Feissner said. He declined to say what, if any, financial sums were involved in the settlement.

Neither Veley, Alderson nor Powell's office would comment.

Voluminous records in the Veley-Alderson case indicate massive and highly organized infighting among private stenographers and stenographic firms to get lucrative work on Capitol Hill.

Believed Chances Slim

In a Nov. 20, 1964, deposition, Veley said Alderson had handled the House Education and Labor Committee reporting from the early 1940s through 1960, but was concerned that he might lose the job when Powell became the new Committee chairman in 1961, succeeding Rep. Graham A. Barden (D-N.C.).

"As soon as we heard the news that Mr. Barden was retiring . . . I went to Mr. Alderson and asked him if he thought he was going to be able to hold the Committee under Mr. Powell . . ." Veley said, "and Mr. Alderson said he didn't have a snowball's chance in Hell to hold it. I said, 'I know Mr. Powell. Maybe I could.' And he said, 'More power to you. See if you can get it.'"

Veley said he then secured the Committee job, and he and Alderson worked out a 50-50 deal on the profits of transcript sales. Alderson said his stenographic firm, Harold B. Alderson Reporting Co. Inc., "went ahead and did the work of the Committee just the same as we had for the previous 20 years, except we did it in the name of Alderson & Veley."

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The Washington Post and Times Herald A-1
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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Were Losing Our Shirt'

Alderson added, however, that the 50-50 split on public sales of transcripts became "unsatisfactory." He said, "We (Alderson's firm) were losing our shirt on this job, and we could not continue the commissions at the level they were being paid" to Veley.

In April, 1964, more than four years later, Alderson said Committee staff director Derrickson announced that Powell no longer wanted Veley on the job.

Alderson said he told Derrickson he thought Veley was still "in this picture because the chairman wants him in the picture. Mr. Derrickson said that that was not correct . . . that (Powell) had assumed that Alderson & Veley was a successor to the Alderson Reporting Co. Inc. and that Alderson Reporting Co. Inc. no longer existed."

Alderson said he then told Veley of Powell's change of heart. Veley removed his belongings from Alderson's office, assumed he was "fired" and sued Alderson for breach of partnership. Alderson's firm continues to handle Powell's committee work today.

In his Nov. 24, 1964, deposition, Alderson said he had made no political contributions to Powell prior to Veley's ouster, but his attorney instructed him not to answer the question about contributions subsequent to the ouster.

On Addison's Payroll

"It is noteworthy that the defendant indicates that no contributions were made to the chairman of this committee until the time Mr. Veley was dumped," said Feissner in his motion to compel Alderson to answer the question, "but that immediately upon Mr. Veley's leaving, contributions apparently were made since the witness refused to answer the question."

Court records also reveal that Fred G. Hussey, the Education and Labor Committee's chief clerk from 1950 to 1960, went on Alderson's payroll at $7000 a year in 1962. His job was to "help the company get business," according to Alderson's deposition.

Hussey died last July 13 at 58. His obituary notes that in 1964, he became vice president of Alderson's firm while also holding jobs as a "legislative consultant" for the Shade Tobacco Growers Association and for Melpar, Inc.

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WITH POWELL

WASHINGTON (UPI) --A CONGRESSIONAL LEADER SAID SUNDAY THERE WAS A DISTINCT POSSIBILITY THAT REP. ADAM CLAYTON POWELL MIGHT LOSE HIS SEAT IN CONGRESS. BUT CIVIL RIGHTS LEADERS WERE PREPARING TO FIGHT FOR THE HARLEM DEMOCRAT IF NECESSARY.

HOUSE REPUBLICAN LEADER GERALD FORD OF MICHIGAN, WHILE REFUSING TO COMMIT HIMSELF PERSONALLY, CITED POWELL'S GROWING TROUBLES AND TOLD UPI:

"WHEN ALL THIS EVIDENCE COMES TO THE HOUSE ON JAN. 10, THERE IS A DISTINCT POSSIBILITY MR. POWELL WILL NOT BE SEATED."

ALSO BECOMING AWARE OF POWELL'S MOUNTING PROBLEMS, NEGRO LEADERS DISCLOSED THAT THEY WERE BUILDING A NATIONWIDE MOVEMENT TO FIGHT ANY ATTEMPT TO DENY HIM HIS SEAT.

THE MOVE TO UNSEAT POWELL IS LED BY REP. LIONEL VAN DEERLIN, D-CALIF. IT IS A PRIVATE CAMPAIGN AND SEPARATE FROM THE CIVIL CONTEMPT PROCEEDINGS AGAINST POWELL IN HIS HOME STATE AND THE INVESTIGATION OF HIS STAFF OPERATION BY A HOUSE SUBCOMMITTEE.

THE REV. ANDREW FOWLER OF WASHINGTON SAID NEARLY ALL NEGRO ORGANIZATIONS SUPPORT THE MOVEMENT TO FIGHT MANEUVERS TO OUST POWELL.

"WE ARE NOT CONDONING WRONG," FOWLER TOLD UPI. "WE FEEL THAT WHATEVER FAULTS WHICH MAY BE UNCOVERED IN POWELL'S BEHAVIOR--AND WE FEEL THERE MAY BE SOME--ARE NOT PECULAR TO POWELL ALONE."

FOWLER SAID THAT 100 MINISTERS ACROSS THE NATION SAID CHRISTMAS PRAYERS FOR POWELL. HE ESTIMATED THAT THE CONGREGATIONS WHICH MIGHT EVENTUALLY JOIN THE MOVEMENT COULD INVOLVE AS MANY AS 14 MILLION PERSONS.

"WE ARE NOT TRYING TO FLOUT THE LAW. BUT WE HOPE WE CAN IRON OUT ANY DIFFICULTIES WHICH MIGHT STAND IN THE WAY OF POWELL'S RETAINING HIS SEAT," HE SAID.

FOWLER ADDED THAT PRESIDENT A. PHILLIP RANDOLPH OF THE INTERNATIONAL BROTHERHOOD OF SLEEPING CAR PORTERS HAD CALLED A JAN. 8 MEETING IN WASHINGTON AS A SHOW OF SUPPORT FOR POWELL.

HE SAID THE MOVEMENT TO HELP POWELL BEGAN SPONTANEOUSLY WHEN MINISTERS BEGAN CONTACTING HIM ABOUT HOW TO HELP THE EMBATTLED CONGRESSMAN.

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WASHINGTON CAPITAL NEWS SERVICE

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Powell Probe Fails to Find Evidence Thus Far That Would Convict Him

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United Press International

Congressmen investigating Rep. Adam Clayton Powell have collected no evidence so far that could send the Harlem Democrat to jail, informants said yesterday.

Those familiar with both the evidence against Powell and similar cases in the past claimed the investigation's findings called more for censure than prosecution.

They made this assessment despite a statement by Rep. William Dickinson (R-Ala.), a member of the House Administration subcommittee who said that Powell might face criminal prosecution.

The subcommittee is expected to end its inquiry into Powell's operation of his House Education and Labor Committee and his regular office staff Tuesday, when it hopes to question Powell's estranged wife, Yvette. She failed to answer a subpoena for last Tuesday.

Members want to know what Mrs. Powell does for the $20,578 annual salary she receives as a member of Powell's staff. They also are curious how she can live in Puerto Rico while the law says employes should work either in Washington or in a member's home state.

Even in this case, Powell faces no great legal threat.

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The Washington Post and Times Herald A-4
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
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RUBIN 12/27 NX

NEW YORK (UPI)--A NEW YORK ATTORNEY, ONE OF REP. ADAM CLAYTON POWELL'S MOST TENACIOUS ANTAGONISTS, SAID TUESDAY THE HARLEM DEMOCRAT HAS ON DEPOSIT IN A SPECIAL CONGRESSIONAL BANK "MORE THAN ENOUGH" TO PAY A $164,000 LIBEL JUDGEMENT.

THE STATEMENT WAS MADE BY RAYMOND RUBIN, SINCE 1960 THE ATTORNEY FOR MRS. ESTHER JAMES, A HARLEM WIDOW WHOM POWELL ONCE DESCRIBED AS A "BAG WOMAN" (GRAFT COLLECTOR) FOR POLICE.

THE COURTS AWARDED MRS. JAMES A TOTAL OF $164,000 DAMAGES IN DRAWN-OUT LITIGATION AND RUBIN HAS BEEN TRYING TO COLLECT THE JUDGEMENT SINCE 1963. HE HAS FAILED, BUT POWELL'S REFUSAL TO PAY HAS BROUGHT THE CONGRESSMAN CONTEMPT CITATIONS AND THE THREAT OF ARREST IF HE STEPS FOOT IN NEW YORK STATE.

RUBIN SAID POWELL KEEPS CASH IN A SPECIAL BANK OPERATED BY THE SERGEANT AT ARMS OF THE HOUSE OF REPRESENTATIVES FOR THE CONVENIENCE OF CONGRESSMEN.

THE ATTORNEY SAID RELIABLE INFORMANTS, WHOM HE DECLINED TO IDENTIFY, TOLD HIM POWELL'S BALANCE IN THE SPECIAL BANK RAN "INTO SEVEN FIGURES"--AT LEAST $1 MILLION.

RUBIN ALSO SAID THAT AT LEAST ONE SOURCE HAS TOLD HIM POWELL'S SECRET ACCOUNT MAY RUN INTO "EIGHT FIGURES"--A MINIMUM OF $10 MILLION.

BUT THE ATTORNEY SAID HE HAD NEVER SEEN THE ALLEGED BANK ACCOUNT AND COULD NOT PERSONALLY VOUCH FOR THE SIZE OF POWELL'S ACCOUNT.

THE HOUSE SERGEANT AT ARMS IN WASHINGTON DOES OPERATE A SPECIAL BANK FOR THE CONVENIENCE OF HOUSE MEMBERS. THE ACCOUNTS ARE USED BY CONGRESSMEN FOR PERSONAL PURPOSES SUCH AS DEPOSITING PAYCHECKS, WRITING PERSONAL CHECKS AND DRAWING AGAINST FUTURE SALARIES.

THE ACCOUNTS ARE SECRET, OPEN ONLY TO AUDITORS. SAVINGS ACCOUNTS ARE NOT PERMITTED.

RUBIN SAID, HOWEVER, THAT HE PERSONALLY HAS TRACED "AT LEAST $50,000" OF POWELL'S MONEY TO THE SPECIAL HOUSE BANK.

POWELL "HAS MORE THAN ENOUGH" TO PAY MRS. JAMES, THE ATTORNEY SAID.

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WASHINGTON CAPITAL NEWS SERVICE

RUBIN SAID THAT WHEN CONGRESS RECONVENES JAN. 10, HE HOPES IT WILL PASS A SPECIAL RESOLUTION TO OPEN POWELL'S ACCOUNT TO INSPECTION.

"WE'LL START GETTING OUR MONEY IN ABOUT THREE WEEKS," THE ATTORNEY PREDICTED.

RUBIN SAID THAT HE HAD ASKED HOUSE SPEAKER JOHN MCCORMACK TO INTRODUCE SUCH A RESOLUTION SEVERAL TIMES IN THE PAST. HE INDICATED HE NOW HAS ASSURANCES FROM ANOTHER CONGRESSMAN TO INTRODUCE SUCH A RESOLUTION. BUT HE DID NOT IDENTIFY THE CONGRESSMAN.

IN WASHINGTON, INFORMED SOURCES SAID THE HOUSE ADMINISTRATION SUBCOMMITTEE, WHICH HAS BEEN INVESTIGATING POWELL, ALREADY HAS JURISDICTION OVER THE CONGRESSIONAL BANK.

BUT, THE SOURCES SAID, THE SUBCOMMITTEE DECIDED AGAINST DELVING INTO POWELL'S BANK RECORDS BECAUSE UNDER THE LAW THE RECORDS MAY NOT BE ATTACHED OR SUBPOENAED.

RUBIN, ON THE OTHER HAND, SAID HE THOUGHT HE COULD "EASILY" SECURE A COURT ORDER ATTACHING POWELL'S ACCOUNT, PROVIDING HE WINS CONGRESSIONAL PERMISSION.

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Calls for Powell's Bankbook

By CY EGAN
and WERNER SCHWARTZ
World Journal Tribune Staff

A leading congressional foe of Rep. Adam Clayton Powell said today he'll back a resolution to force public disclosure of the Harlem Democrat's House of Representatives bank account—reportedly containing upwards of $1 million.

"It's a drastic move, but I'll favor such a disclosure," Rep. Sam M. Gibbons told the World Journal Tribune by telephone from his home in Tampa, Fla.

Gibbons, a Democrat who led last fall's successful campaign to curb Powell's powers as chairman of the House education and labor committee declared:

"I don't see why any congressman should have the opportunity to withhold a full disclosure of his account, particularly when that congressman is under investigation for irregularities."

PROBING EXPENSES

The House administration subcommittee is investigating travel and other expenditures by the Harlem congressman and his staff. His estranged wife, Yvette, was reported ready to testify tomorrow before the subcommittee in response to a subpoena.

She lives in Puerto Rico but is on Powell's congressional office payroll at $20,878 per year.

"I don't think the government whose responsibility it is to promote justice should set up anything that would allow a congressman to escape his just liabilities," Gibbons said.

His statements came as Raymond Rubin, attorney for the Harlem widow who won—but is still trying to collect—a $164,000 defamation judgment against Powell, revealed that a New York member of the House will sponsor the disclosure resolution "when the 90th Congress convenes on Jan. 10 or very soon after."

Another anti-Powell Democrat, Rep. Lionel Van Deerlin of California, said he will "explore" the resolution, but intends to concentrate on his already announced drive to block Powell's seating in the House unless the Harlem Democrat purges himself of court orders against him.

Powell has been cited three times for civil contempt and once for criminal contempt for failure to appear for court examinations of his financial assets. He faces arrest and possible jailing for sentences totaling a year and 90 days, as well as fines.

Whatever amount Powell has set aside for his old age in the secret house bank account, Rubin said he believes there is much more than enough to satisfy the judgment the congressman owes his client, Mrs. Esther James.

Mrs. James won the judgment over three years ago after Powell branded her a "bag woman," or graft collector for police, during a 1960 television interview.

The special bank cited by Rubin is operated by the House sergeant-at-arms for the convenience of members of Congress. Its accounts may not be attached — even by court order — unless specifically permitted by House resolution.

When Congress convenes, Rubin said, he expects the House to approve a special resolution that will open the Powell account to inspection. Then, he added, "We'll start getting our money in about three weeks."

The attorney revealed that he has "written three times to House Speaker John W. McCormack appealing to him to push this matter and was refused three times."

He said informants had told him Powell's account contains at least $1 million and possibly $10 million or more. The lawyer said he personally traced "at least $50,000" of Powell's money to the bank.

The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune 4
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
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57 JAN 9 1967 F 332

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House Keeps Books Secret

Washington, Dec. 27—(News Bureau)—Rep. Adam Clayton Powell's account in the House bank is safe from prying eyes, as is every other Congressman's total deposits, bank manager Elwyn G. Raiden said today.

The Capital financial institution is "just a service for the members," Raiden explained. No interest is paid. Almost all members have their pay checks automatically sent to the office of the House sergeant-at-arms, where the bank is located, Raiden said, and they write checks against these deposits.

Shuns Large Deposits

Raiden said it is not the bank's practice to accept "excessively large deposits."

The purpose of the bank is to facilitate the members' paying their normal bills on a monthly basis. If a member wished to deposit nongovernment checks to cover unusual drains on his account, he explained, that would be acceptable.

If a member sought to make any large deposit, Raiden said, "we would pull the wire down—and have done so."

How would an interested citizen go about finding out how much a member has on deposit?

"You can't do it," Raiden said.

He added that it would require a resolution passed by the House to permit a committee or agency of the House to look into a member's account. He said he believed this has happened in the past.

A member's funds on deposit in the House bank cannot be garnished or attached.

"It's purely a House operation," Raiden stressed.

Trouble in 1947

Raiden said even the total deposits for all House members on hand do not show up "as such" in any public record of the House, but the bank is audited twice a year by the General Accounting Office.

The GAO has been checking the bank's books since 1947, when a former House sergeant-at-arms, Kenneth Romney, was convicted of "swindling or defrauding" the government. Romney was found guilty of concealing a shortage of $143,263 in his accounts. He got one to three years in jail.

Raiden is directly responsible to the House sergeant-at-arms. Zenke W. Johnson Jr. [illegible] was elected by a House Democratic caucus and is responsible to them through the House Speaker.

For the bank staff Raiden calls upon the dozen or so employes of the sergeant-at-arms' office. This is a gigantic disbursing operation, handling the insurance, retirement, tax withholding for all House members and staff members.

Raider admits his bank is not really a bank. Oddly, the only place where sanction is given to the name in the official Congressional Directory.

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The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News 3
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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57 JAN 9 1967 F 332

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ADD 1 POWELL, WASHINGTON (UPI-89)
FOWLER SAID MANY NEGRO CITIZENS BELIEVED POWELL WAS UNDER ATTAC
BECAUSE HE WAS A NEGRO.
ROGERS WAS MORE MILITANT.
"WE ARE NOT SAYING ADAM CLAYTON POWELL IS ANY PARAGON OF VIRTUE,
ROGERS SAID.
BUT HE SAID NEGROES WERE NOT GOING TO TOLERATE BEING TREATED
DIFFERENTLY THAN WHITES.
"DON'T ASK FOR SPECIFICS," HE RESPONDED WHEN ASKED HOW NEGROES WOULD
EXPRESS THEIR OUTRAGE.
IN THE STATEMENT, THE CLERGYMEN EMPHASIZED TWO POINTS. THEY
SAID POWELL'S ATTEMPTS TO ESCAPE A $164,000 LIBEL JUDGEMENT WAS
STILL BEFORE THE COURTS AND WAS NOT A MATTER THAT SHOULD BE
DECIDED BY THE HOUSE--AS IS THE PLAN OF REP. LIONEL VAN DEERLIN,
D-CAL., WHO IS PLANNING TO MOVE FOR POWELL'S UNSEATING.
THE OTHER POINT, CRITICISM OF POWELL'S RUNNING OF THE EDUCATION
AND LABOR COMMITTEE, THEY DISMISSED AS UNFAIR UNTIL ALL COMMITTEE
CHAIRMAN WERE INVESTIGATED.
THEY SAID THERE WAS MUCH EVIDENCE THAT OTHER CONGRESSMEN HAD
ENJANGERED PUBLIC MONEY. AND THAT TOO SHOULD BE INVESTIGATED.
"UNTIL THEN AND ONLY THEM MAY AN INVESTIGATION OF MR.
POWELL'S COMMITTEE ACTIVITIES BE CONSIDERED LESS THAN A MOCKERY
AND AN EFFRONT TO NEGRO AND FAIR-MINDED CITIZENS ACROSS THE LAND,"
THE STATEMENT SAID.
THE CLERGYMEN ALSO SAID IT WAS "SHEER MOCKERY" TO EVEN
CONSIDER THE UNSEATING OF POWELL WHEN CONGRESS HAS REGULARLY
SEATED MISSISSIPPI MEMBERS WHO "OPENLY DEFY THE CONSTITUTION OF
THE U.S. RELATIVE TO THE VOTING RIGHTS OF NEGROES."
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WASHINGTON CAPITAL NEWS SERVICE

Lawyer: Powell Has Untouchable Million

By JOSEPH McNAMARA

Rep. Adam Clayton Powell has squirreled in a special Congressional bank, beyond jurisdiction of the court, more than enough money to satisfy a $164,000 slander judgment—possibly up to $1 million, attorney Raymond Rubin said yesterday.

Rubin has been trying to collect the $164,000 award for his client, Harlem widow Esther James, whom Powell called a graft collector for crooked cops when he appeared on a TV program in 1960.

The special bank is operated by the House sergeant-at-arms for members of Congress and cannot be attached, even by court order, unless specifically permitted by resolution of that body.

Rubin said here yesterday that a reliable source had told him that the Harlem Democrat recently had a balance "running into seven figures"—more than $1 million—in his account with the sergeant-at-arms.

The attorney declined to identify his source. Rubin did say that although repeated attempts to get House Speaker John McCormack to move such a resolution have been futile, he was confident that other Congressmen would now push for such a motion.

With House approval, Rubin said, he could easily get court attachment of this account. If such cooperation develops, "We'll start getting our money in about three weeks," the lawyer predicted.

So far, Congress members have been reluctant to open this Pandora's box for fear that it could lead to attachment of their own accounts.

The $50,000 paid to Powell since 1963 by the Abyssinian Baptist Church of Harlem, of which he is pastor, has found its way into this sacrosanct account, Rubin said he learned from records subpenaed from the church.

Small Account Found

Despite diligent searching for other bank accounts — and the courts last week extended to March 1 the period he can continue his search—Rubin has uncovered only one other bank account for Powell—a $48 deposit at the Chase Manhattan Bank here.

Rubin said he has attached this account.

Powell did keep several bank accounts before 1963, when the first judgment was handed down, "but he cleared them out pretty darn fast before I could get to them," Rubin said.

Rubin was confident that, if the Congressman appeared in Supreme Court here Jan. 9 for a financial exam, as directed by Justice Joseph A. Brust on Friday, he will be able to latch onto some dough.

"I have all the information on his assets," said Rubin. "All I need is half an hour with Powell, and if he says 'yes,' I'll grab that money so fast he won't know what happened."

Powell's estranged Puerto Rican wife, Yvette, has also been directed to appear Jan. 9 for examination.

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The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star
New York Daily News 3
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date

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57 JAN 9 1967

Mrs. Esther James and her attorney Raymond Rubin.

Adam Clayton Powell
Has a special account

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UPI-128
(POWELL)

WASHINGTON--REP. ADAM CLAYTON POWELL'S SECRETARY-WIFE FAILED AGAIN TODAY TO APPEAR UNDER SUBPOENA BEFORE HOUSE INVESTIGATORS. THEIR CHAIRMAN THREATENED TO TRY TO HAVE HER FIRED AND PERHAPS CITED FOR CONTEMPT OF CONGRESS.

"IT LOOKS TO ME LIKE A BIG STALL," SAID REP. WAYNE HAYS, D-OHIO, CHAIRMAN OF A HOUSE SUBCOMMITTEE LOOKING INTO CHARGES OF PAYROLL AND TRAVEL VOUCHER IRREGULARITIES INVOLVING THE HARLEM DEMOCRAT.

"IF SHE DOES NOT APPEAR TOMORROW (FRIDAY), I WILL RECOMMEND THAT THE CLERK OF THE HOUSE BE DIRECTED TO TAKE HER OFF THE PAYROLL," HAYS SAID. MRS. YVETTE POWELL, WHO RESIDES IN PUERTO RICO, RECEIVES $20,578 A YEAR AS HER HUSBAND'S SECRETARY.

SHE HAS MISSED A PREVIOUSLY SCHEDULED APPEARANCE BEFORE THE SUBCOMMITTEE DEC. 20, CONTENDING SHE WAS UNABLE TO LEAVE HER 4-YEAR-OLD SON UNCARED FOR. THE HAYS GROUP THEN POSTPONED HER TESTIMONY UNTIL TODAY AND ARRANGED FOR AIR TRAVEL AND REIMBURSEMENT FOR THE TRIP TO WASHINGTON.

MRS. POWELL CONTENDED IN A TELEGRAM RECEIVED WEDNESDAY SHE HAD RECEIVED NO FORMAL NOTIFICATION OF THE NEW HEARING DATE. ALL SUBCOMMITTEE EFFORTS TO CONTACT HER DIRECTLY HAVE FAILED.

HAYS SAID MRS. POWELL HAD ASKED TO APPEAR JAN. 5 BUT SHE WAS REFUSED BECAUSE THE SUBCOMMITTEE'S INVESTIGATING AUTHORITY EXPIRES JAN. 3. HER LAWYERS HAD SAID SHE COULD NOT APPEAR THURSDAY BUT WAS "WILLING TO COOPERATE" AT A LATER DATE.

IF SHE FAILS TO OBEY THE SUBPOENA, HAYS SAID, HE MIGHT SUGGEST THAT THE HOUSE ADMINISTRATION COMMITTEE ASK THE HOUSE TO CITE MRS. POWELL FOR CONTEMPT OF CONGRESS. CONVICTION CARRIES A MAXIMUM PENALTY OF ONE YEAR IN PRISON AND A $1,000 FINE.

THE FULL COMMITTEE WILL MEET JAN. 3 TO CONSIDER THE SUBCOMMITTEE'S RECOMMENDATIONS ON POWELL, WHO NOW IS VACATIONING ON BIMINI IN THE BAHAMAS WITH ANOTHER SECRETARY, CORRINE HUFF.

HAYS TOLD NEWSMEN MRS. POWELL WAS WANTED FOR QUESTIONING TO DETERMINE WHETHER HER JOB WAS IN VIOLATION OF A LAW REQUIRING CONGRESSIONAL EMPLOYES TO WORK EITHER IN WASHINGTON OR IN THE MEMBER'S HOME STATE.

POWELL WAS SAID HIS WIFE ANSWERS CORRESPONDENCE FROM HIS SPANISH-SPEAKING CONSTITUENTS.

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67 JAN 9 1967 WASHINGTON CAPITAL NEWS SERVICE

Angry Harlemites Back Powell

Randolph Scores Ouster Proposal At Noisy Meeting

By Leroy F. Aarons
Washington Post Staff Writer

NEW YORK, Dec. 29 — A stamping, shouting, angry crowd crushed into a third-floor union hall in Harlem today to hear A. Philip Randolph and other Negro leaders denounce moves to keep Rep. Adam Clayton Powell (D-N.Y.) from taking his seat in Congress next month.

The meeting was called by the 77-year-old Randolph, a revered and influential moderate in the civil rights movement who has not previously been associated with Powell, to devise means of bringing pressure on Congressmen not to go along with the anti-Powell proposal.

But it soon developed into a noisy rally, with speakers denouncing "white power" and the overflow audience of about 300, mostly residents of Powell's 21st Congressional District, chanting "hallelujah!" and "that's right!"

The move to obstruct Powell from sitting in the 90th Congress and from continuing as chairman of the powerful Education and Labor Committee, was started by Rep. Lionel Van Deerlin (D-Calif.). Van Deerlin based his action on the fact that Powell was under a criminal contempt citation for failure to honor a libel judgment against him.

Today's aroused crowd cheered as speaker after speaker—more than a dozen in all—characterized the move against Powell as a white conspiracy aimed at breaking the back of Negro power in Amer ica.

It was obvious from the reaction that the threat to Powell's position as the most vocal and powerful Negro in Congress has a profound symbolic impact on his constituents far beyond its practical im-

Randolph is president of the Brotherhood of Sleeping Car Porters, in whose meeting room the session was held.

"We do not, and will never condone all the actions of any Congressman—including those of Congressman Powell," Randolph said, but "we view with alarm and disbelief the attempt by a small and vindictive clique in the House of Representatives" to unseat Powell.

He condemned the idea of an investigation into Powell's ethics while other Congressmen's conduct goes unchecked, and speculated that the upcoming Congress cannot legally question the conduct of a member of the previous Congress.

"We can reach no other conclusion," he said, "than that this effort will be interpreted by the Negro community throughout the United States as racism masquerading behind a screen of Congressional piety and self-righteousness."

This theme was embellished by a parade of speakers that included such militant leaders as Jesse Gray and Livingston Wingate, former director of HARYOU-ACT in Harlem.

Cleveland Robinson, president of the American Negro Labor Council, and one of the architects with Randolph of the 1963 March on Washington, warned the Democratic Party that if it remains silent on the Powell issue it could no longer count on Negro support.

Wingate called for a public trial in Harlem against the Democratic Party. But Gray said "It's a conspiracy of white power—both Democrats and Republicans. As Malcolm X said, 'Keep an eye on all white folks.'"

Asked afterward what might be the repercussions if Powell were denied his seat, Robinson said, "The fears and frustrations will certainly be increased. This was a meeting full of emotions."

JAN 9 1967 F 332

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The Washington Post and Times Herald A2
The Washington Daily News
The Washington Evening Star
New York Daily News
New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
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The Wall Street Journal
The National Observer
People's World
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Investigation to End T...

Hill Probe Gives Up on Mrs. Powell

Congressional investigators today gave up on trying to question the wife of Rep. Adam Clayton Powell (D., N.Y.), and resumed writing a report that would let members "draw their own conclusions" about charges against him.

Mrs. Yvette Powell was not aboard yesterday's flight from San Juan, P.R., on which the House Administration subcommittee conducting the investigation made a reservation for her and the odds were against her appearing.

Today was "the last chance" given her by sub-committee chairman Wayne Hays (D., O.) to answer a subpena by appearing or face losing her $10,575 a year job as the top-paid member of her husband's personal staff.

OFF PAYROLL

Rep. Hays told newsmen he would recommend that Mrs. Powell be taken off that payroll and that the sub-committee might even consider asking the House to cite her for contempt of Congress.

Mrs. Powell's attorneys told the panel she was unable to make personal arrangements to appear when first subpenaed Dec. 20 and was not properly notified she was to appear yesterday.

Rep. Hays' panel is looking into allegations that Rep. Powell has abused his travel authority as chairman of the Education and Labor Committee.

The sub-committee also wanted to ask Mrs. Powell how she can live in Puerto Rico — receiving her salary as a congressional aide to her husband — and still be in compliance with a law which requires such employes to work in Washington or in the Representative's home state.

WRAP UP

Regardless of Mrs. Powell, the sub-committee planned to wrap up its report today.

Sources said one "finding" would be that some 100 trips for which committee funds were used to pay the transportation costs were taken by someone other than the person listed on the expense voucher. Rep. Powell's son was alleged to have been involved in one instance.

NO ACCUSATION

It will be specifically accuse Rep. Powell of any criminal wrongdoing or call for any action by the House against him.

Meanwhile, Harlem leaders yesterday vowed to demonstrate in Washington Jan. 8 against "the small vindictive minority"

REP. WAYNE HAYS

seeking to deny Rep. Adam Clayton Powell his full congressional rights. Several speakers announced their backing of Rep. Powell amid chants of "Yeah Adam" from the more than 200 persons crowded into a Harlem meeting room. [illegible]

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The Washington Post and Times Herald
The Washington Daily News 1
The Washington Evening Star
New York Daily News
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UPI-128
(POWELL)

WASHINGTON--THE CHAIRMAN OF A HOUSE SUBCOMMITTEE SAID TODAY HE BELIEVED THE WIFE OF REP. ADAM CLAYTON POWELL, D-N.Y., REALIZED SHE IS DRAWING A $20,578 FEDERAL SALARY IN VIOLATION OF THE LAW. HE RECOMMENDED SHE BE FIRED.

MRS. YVETTE POWELL, WHO LIVES IN PUERTO RICO, FAILED FRIDAY FOR THE THIRD TIME TO APPEAR BEFORE THE HOUSE ADMINISTRATION GROUP INVESTIGATING ACTIVITIES OF HER ESTRANGED HUSBAND.

CHAIRMAN WAYNE HAYS, D-OHIO, SAID HE FELT SHE HAD NOT ANSWERED A SUBPOENA TO APPEAR BECAUSE "SHE HAS NOTHING TO SAY."

WHEN MRS. POWELL DID NOT SHOW UP, THE SUBCOMMITTEE ABANDONED PLANS TO QUESTION HER AND WENT BACK TO WRITING ITS REPORT. HAYS SAID THE REPORT WILL NOT BE MADE PUBLIC UNTIL JAN. 9.

MEANTIME, A SPECIAL HOUSE COMMITTEE CREATED AT THE LAST SESSION TO STUDY CONGRESSIONAL ETHICS RECOMMENDED THAT IT BE EMPOWERED TO INVESTIGATE SPECIFIC COMPLAINTS.

IN A REPORT TO SPEAKER JOHN W. MCCORMACK, D-MASS. THE PANEL PROPOSED THAT THE HOUSE ADOPT STANDARDS OF CONDUCT AND THAT IT BE GIVEN AUTHORITY TO INVESTIGATE ALLEGED VIOLATIONS AND RECOMMEND CENSURE OF MEMBERS.

THE COMMITTEE, HEADED BY REP. CHARLES E. BENNETT, D-FLA., IS NOT INVOLVED IN THE POWELL CASE AND IS CONCERNED ONLY WITH FUTURE QUESTIONS OF ETHICS.

THE SUBCOMMITTEE HAD SOUGHT TO ASK MRS. POWELL HOW SHE CAN LIVE IN PUERTO RICO--RECEIVING HER SALARY AS SECRETARY TO HER HUSBAND--AND BE IN COMPLIANCE WITH A LAW REQUIRING EMPLOYES OF CONGRESSMEN TO WORK IN WASHINGTON OR IN THE REPRESENTATIVE'S HOME STATE. 1-15-67

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WASHINGTON CAPITAL NEWS SERVICE

HAYS SAID THE PANEL LAST HEARD FROM MRS. POWELL WEDNESDAY, WHEN HER LAWYERS WIRED THAT IT WOULD BE "PHYSICALLY IMPOSSIBLE" FOR HER TO APPEAR.

HE SAID IT WAS HIS OPINION THAT MRS. POWELL WAS IN CONTEMPT OF CONGRESS, BUT HE ADDED IT WOULD BE UP TO THE SIX-MEMBER SUBCOMMITTEE TO DECIDE WHETHER THE HOUSE SHOULD BE ASKED TO CITE HER.

HAYS SAID, HOWEVER, HE PLANNED "TO RECOMMEND THAT WE ASK THE CHAIRMAN OF THE FULL COMMITTEE TO WRITE A LETTER TO THE CLERK OF THE HOUSE DIRECTING THAT SHE BE REMOVED FROM THE PAYROLL."

HE SAID HE THOUGHT THE SUBCOMMITTEE HAD BEEN EXTREMELY PATIENT WITH MRS. POWELL.

HAYS' SUBCOMMITTEE HAS BEEN LOOKING INTO ALLEGATIONS THAT POWELL ABUSED HIS AUTHORITY AS CHAIRMAN OF THE EDUCATION AND LABOR COMMITTEE.

SUBCOMMITTEE SOURCES INDICATED THE REPORT WILL NOT SPECIFICALLY ACCUSE POWELL OF ANY CRIMINAL WRONGDOING OR CALL FOR ANY ACTION BY THE HOUSE AGAINST HIM.

BUT THE REPORT LIKELY WILL BE USED AS AMMUNITION AGAINST POWELL WHEN THE 90TH CONGRESS CONVENES JAN. 10 AND ATTEMPTS ARE MADE TO UNSEAT HIM, STRIP HIM OF HIS COMMITTEE CHAIRMANSHIP, OR BOTH.

IN NEW YORK, HARLEM LEADERS HAVE VOWED TO DEMONSTRATE IN WASHINGTON JAN. 8 AGAINST "THE SMALL VINDICTIVE MINORITY" SEEKING HOUSE ACTION AGAINST POWELL.

"THE STANDARDS BEING APPLIED TO HIS CASE SHOULD NOT BE APPLIED TO POWELL ALONE," MANHATTAN BOROUGH PRESIDENT PERCY SUTTON SAID.

12/30--WM455PES

U-19 (Rev. 9-13-66)

All in House May Get Copies Of Powell File

By ROBERT WALTERS
Star Staff Writer

The congressional subcommittee investigating the activities of Rep. Adam C. Powell, D-N.Y., will ask that the full transcript of its hearings be distributed to all House members.

That recommendation will be made Tuesday when the House Administration Committee meets to consider the report from its Contracts subcommittee, headed by Rep. Wayne L. Hays, D-Ohio.

Hays' subcommittee has held closed hearings on Powell's affairs for the past two weeks, specifically investigating his alleged misuse of airline tickets and placement of unauthorized persons on the congressional payroll.

Hays has briefed reporters on some of the alleged irregularities uncovered by the subcommittee, but the full report is understood to contain references to a number of additional situations not previously disclosed.

The subcommittee, which compiled a hearing record of several hundred pages, heard testimony from about two dozen persons, including 17 staff members of the Education and Labor Committee, which Powell heads.

Quorum Likely

Hays yesterday confirmed that he would seek wide distribution of the testimony. He also said he had been assured that a quorum of the Administration Committee, chaired by Rep. Omar Burleson, D-Tex., would be available Tuesday.

"I will urge them to make a copy of the report and testimony available to all House members. It's a fair assumption that if all 435 members get it, it's pretty much a public document," he said.

Hays said he was "very much against making the report public unless the testimony is included" because of the need to offer protection for innocent witnesses."

He explained that some witnesses testified voluntarily before the subcommittee and apparently were guilty of no misconduct behavior, but the only manner in which that could be shown would be to divulge their testimony.

Deadline Is Noon

Other sources said the Administration Committee might also be asked to authorize distribution to any interested federal agency and to any individual who requested a copy.

This was seen as an effort to head off a move by Rep. William L. Dickinson, R-Ala., a subcommittee member, who said last week that if the committee did not recommend sending its findings to the Justice Department for possible criminal prosecution, he would do so in a minority report.

Because of a technicality, the committee must decide what to do with the subcommittee's recommendations before noon Tuesday, because the 89th Congress legally goes out of existence at that time.

If a quorum is not present or if the committee defers action, Hays and Burkson would have to seek new authorization from the 90th Congress, which convenes a week later.

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The Washington Merry-Go-Round

Powell Misuse of Funds Exposed

F-11

By Drew Pearson

The amazing manner in which Rep. Adam Clayton Powell, the Harlem globe-trotter, played fast and loose with the taxpayers' money on his junkets has been disclosed in vivid detail in closed sessions of the House Administration Committee.

Pearson

In some cases fistfuls of airline tickets were taken out in his subordinates' names but issued by Powell.

Here is some of the cross-examination of Powell's employes:

"There's a record that one time I bought about 20 to 30 tickets and gave them all to him (Powell)," testified Chuck Stone, Powell's administrative assistant.

"Whose names were on the tickets?" Stone was asked.

"Swann, Clark, Lewis, mine." He cited members of Powell's staff.

"They were for people other than staff people?" Stone was asked.

"No, they were all for him."

"It was necessary to put names in there as to who was going to be traveling?" Stone was asked.

"Yes."

"Whose names would you put in?"

"I put in the person's name who was going to travel, unless I put in whatever name the chairman ordered me to put in."

"What names would he order you to put in?"

"My name, Lewis, Clark, Swann, Warren," Stone replied.

"Did the persons whose names appeared on the ticket perform the travel?"

"Not very frequently; no they didn't," Stone replied.

"Who would be frequently performing the travel on those tickets?"

"The chairman."

"Who else?"

"Miss Huff."

"Who else?"

"That is all."

Beautiful 'Miss Ohio'

Miss Huff to whom Stone referred is Miss Corinne Huff, the first Negro to win the Miss Ohio beauty contest and who has been a frequent traveler with the Harlem Congressman to Europe and the British Bahamas.

The testimony intrigued Rep. Paul Jones, (D-Mo.) He asked: "Those 20 tickets you bought at one time—were they all for the same destination?"

"I think they were a variety, sir," replied Stone. "I think it's like Washington to Miami, and New York to Miami. It was a combination—different combinations you might say."

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New York Post
The New York Times
New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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The subcommittee, under the chairmanship of Rep. Wayne Hays (D-Ohio) had done a thorough job of checking travel accounts. Committee counsel confronted Stone with the fact that nine flights appeared to have been made by Stone and Mrs. Emma T. Swann to the same destination.

"We have a substantial number of trips between here and New York allegedly performed by you and Mrs. Swann," Stone was told. "Did you ever travel with Mrs. Swann on any trip whatsoever?"

"A couple of trips I went with her, but not as a rule," Stone replied.

"What explanation do you have to offer for the name Swann being on a ticket which is on the same flight with you in nine instances?"

"The explanation is that I don't think I took those trips," replied Rep. Powell's administrative assistant.

Mrs. Swann is the receptionist for the Committee on Education and Labor of which Powell is the chairman. She was recorded as having made 40 flights between April 20, 1965, through July 31, 1966 —18 between Washington and Miami; 20 between New York and Washington; one from Buffalo to Washington, and one from Buffalo to New York City.

When put on the witness stand, Mrs. Swann was asked:

"Did you make these trips on committee business?"

"I have made none on committee business," was her frank reply.

"You have made none on committee business?"

"None whatsoever."

"Were you aware that your name might have been used in connection with travel by others in the office?"

"No, I was not."

Other Anonymous Trips

Russell Derrickson, staff director of Powell's Education and Labor Committee, as revealed by Rep. Hays' investigating committee, had taken 26 airplane trips between New York and Washington from June 26, 1965, through Sept. 20, 1966. Derrickson said he "performed none of the travel shown by this audit."

Michael Schwartz, counsel on labor management for Powell's Committee, gave a deposition in which he said he had received payment of vouchers for subsistence and expenses for a 16-day trip to Miami in June, 1966, on committee business, but no record of his transportation turned up.

Vidal Chacon was paid $339.01 in April, 1965, for doing nothing; or, as the investigating committee put it in more eloquent language, "He apparently rendered no service whatsoever." Powell had kept him hanging around Washington unoccupied.

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9-19 (Rev. 9-15-66)

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Pay Not Received, Mrs. Powell Quoted

Panel Issues New Data, Battle Grows

By ROBERT K. WALSH
Star Staff Writer

Testimony released today indicated that Mrs. Adam Clayton Powell received little, if any, of her $20,578-a-year salary for being on her husband's staff.

The testimony and records disclosed by the House Administration Committee added fuel to the congressional fire raging over complaints of highly questionable activities of Powell as chairman of the Education and Labor Committee.

The detailed material came as a followup to general recommendations and conclusions issued yesterday by the Administration Committee and an investigating subcommittee which conducted closed hearings last month.

While providing little new major information, it dealt much more spectacularly with what the committee previously described as Powell's apparently "deceptive practices."

The testimony strongly indicated numerous trips by Powell, Miss Corrine Huff and others under assumed names on tickets obtained through committee credit cards.

Wife Quoted

The report contained a Secret Service statement of last October quoting Powell's estranged wife as saying that some of her paychecks as an employe of his congressional office went to her husband's office and were "negotiated" without her endorsement or authorization.

The committee yesterday ordered that Powell's wife, Yvette Flores Powell, now living in Puerto Rico, [illegible] the congressional payroll.

The testimony released today was even more explicit than the committee's earlier comment that she apparently did no work either in Powell's office here or in his congressional district in Harlem, as required by law.

Noting that Mrs. Powell had been on the payroll continuously since January 1965, but that in recent months her checks went to Powell's office, the report quoted the Secret Service as saying in part:

"On the morning of Oct. 5, 1966, Mrs. Powell was interviewed in her home (in Puerto Rico). When advised of the nature of our business and shown the photostatic copies of the checks in question, Mrs. Powell said the checks did not bear her genuine endorsement; that she had not authorized the endorsements; that to the best of her knowledge she at no time had given her husband expressed or implied authority to negotiate the checks.

"Concerning the question of whether she had received funds and/or benefits from these checks Mrs. Powell said she [illegible] didn't know. She said she has neither seen nor heard from her husband in more than a year and that the question of support is being handled by her attorney."

The committee expressed disappointment and displeasure because Powell and Miss Huff, former beauty queen—one of his office employes who currently is in the Bahamas where Powell also has been vacationing—did not testify at the recent subcommittee hearings.

The report produced audit records which it said accounted for numerous airline trips by Powell and Miss Huff, often on the same flight.

"The audit of airflights which was conducted by the committee leaves unexplained the number of flights taken by each witness," the report says.

"We have accounted for 37 trips between Washington and New York City (for Powell), most of which were made on Fridays, Saturdays, Sundays or Mondays. We also have accounted for 16 trips between Washington or New York City and Miami for from 6 to 20 days, duration and six trips to San Juan, Puerto Rico, from one to six days duration. No subsistance or related expenses were claimed for the above travel."

Trips by Miss Huff

As for trips made by Miss Huff, the report quoted the auditor as saying: "We have accounted for five trips between Washington and New York City, all on weekends. We also account for one trip from Miami to Washington on July 17, 1966, approximately one month and one-half after Miss Huff was off the committee payroll. This was paid for with committee funds."

The most recent available House records show that Miss Huff was transferred from the Education and Labor Committee payroll to Powell's congressional office as an employe.

Testimony of other witnesses—mainly employes of the Education and Labor Committee or Powell's office—indicated that many other airline trips made

The Washington Post and Times Herald
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The Washington Evening Star
New York Daily News
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The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

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199 JAN 10 1967

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through committee credit cards were issued by persons other than those whose names appeared on the tickets.

Summarizing testimony of Mrs. Louise M. Dargans, chief clerk of Powell's committee since January, 1961, the report stated:

"As a holder of a Q type air travel credit card, which entitled her to purchase airline tickets for other persons, she obtained airline tickets for others when authorized by the chairman.

"On March 28, 1965, at a social gathering in Washington, Chairman Powell told her to use her credit card to purchase four one-way shuttle tickets from Washington to New York in her name and in the names of three other committee staff members, Don Anderson, Aurola Harris and Odell Clark, for use by Mrs. Lillian Moshur, a clerk in Rep. Powell's congressional office, and three other persons at the social gathering who were not employed by Congress and were not authorized to travel at government expense.

"The unauthorized persons for whom Mr. Powell directed Mrs. Dargans to provide tickets were Adam C. Powell III, the chairman's son; Miss Pearl Swangin and Jack Duncan. C. Sumner Stone (Powell's administrative aide) testified later that Miss Swangin and Duncan are old friends of Mr. Powell who live in New York City."

Employed as Cook

The case of Miss Sylvia J. Givens, who was employed briefly last summer as a clerk for Powell's committee and also as a maid and cook at his retreat at Bimini in the Bahamas, was covered in considerable detail in the report.

Although substantially the same as previously outlined to newsmen at the time of the subcommittee hearings, her testimony quoted in the report today disclosed that she flew to the Bahamas on the same plane with Powell and Miss Huff.

The committee said that "it is obvious" that the tickets used by Powell and Miss Huff were purchased in the name of two other employes of the Education and Labor Committee.

Miss Givens testified that although she was on the committee payroll at the time she was "just a housekeeper" and worked as a maid and cook during the two weeks she was in Powell's [illegible] at Bimini.

She added that as far as she knew Miss Huff did not work for the committee or for Powell's congressional office during that time.

The report stated that audit records showed that 40 flights between May 1965 and October 1966 were made by Stone "or a person using his name."

Portions of Stone's testimony:

"Q. Did the persons or the parties whose names appeared on the ticket perform the travel?

"A. Not very frequently. No, they didn't.

"Q. Who would be actually performing the travel on those tickets?

"A. The chairman.

"Q. Who else with the chairman?

"A. Miss Huff.

"Q. Who else?

"A. That is all.

20 Tickets in One Day

"Q. You say that one time you purchased 20 tickets in one day? Were they for use of staff members or did you deliver 20 tickets to the congressman's office?

"A. I gave them to the chairman.

"Q. What names did you purchase those tickets in? Were they all purchased in your name or did you use the names of other members of the staff?

"A. Other members of the staff.

"Q. Did Miss Huff travel under the name of Swann?

"A. Yes, Sir.

"Q. It was customary for her to travel under an assumed name, is that correct?

"A. That is right."

Chairman Decides

"Q. Who would decide what name she was going to travel under on a particular trip?

"A. The chairman."

"Q. Did she also travel under the name of Lewis?

"A. Yes sir."

Mrs. Emma T. Swann, Education and Labor Committee office receptionist, testified that she made three vacation trips between Washington and Miami on tickets given to her by Powell. She denied, however, that she made 40 airline flights between April 30, 1965, and July [illegible], 1966, as audit records indicate.

—Associated Press

Rep. Wayne L. Hays (right), D-Ohio, whispers to Rep. Omar Burleson, D-Tex., as they announced the firing of Rep. Adam C. Powell's wife by the House Administration Committee.

6-30 (Rev. 1-28-65)

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UPI-122

(POWELL)

WASHINGTON --SPEAKER JOHN W. MCCORMACK RETURNED TO THE CAPITOL THURSDAY AFTER A TWO-MONTH ABSENCE AND PROMPTLY RAN UP AGAINST THE QUESTION OF THE HOUR: WHAT, IF ANY THING, SHOULD BE DONE ABOUT REP. ADAM CLAYTON POWELL, D-N.Y.?

DEMOCRATIC MEMBERS OF THE 90TH CONGRESS -- WHICH FORMALLY CONVENES TUESDAY -- LOOKED TO MCCORMACK TO PROVIDE THE FIRST INDICATION OF HOW THEIR LEADERS VIEW EFFORTS TO DISCIPLINE POWELL.

THE NEGRO DEMOCRAT, MEANTIME, CHARGED THAT HIS OPPONENTS WERE ENGAGED IN AN ENORMOUS CONSPIRACY AGAINST NOT ONLY HIM BUT AGAINST "BLACK POLITICAL LEADERSHIP, BLACK PEOPLE AND BLACK PROGRESS."

AT ISSUE ARE TWO CHALLENGES AIMED AT POWELL'S CONGRESSIONAL POWERS. ONE WOULD STRIP HIM OF HIS CHAIRMANSHIP OF THE HOUSE EDUCATION AND LABOR COMMITTEE. THE OTHER WOULD DENY HIM HIS SEAT IN CONGRESS WHILE A SPECIALLY CREATED COMMITTEE OF HIS COLLEAGUES EXAMINED CHARGES AGAINST HIM. 100-5183-30A.

THE ATTEMPT TO DEPOSE POWELL AS CHAIRMAN WOULD BE UNDERTAKEN ON MONDAY WHEN DEMOCRATS HOLD A CLOSED, PRE-SESSION CAUCUS. THE SEATING CHALLENGE IS PLANNED FOR TUESDAY WHEN MEMBERS ARE SWORN IN.

THE MOVE TO KEEP POWELL FROM TAKING HIS SEAT IS BEING LED BY REP. LIONEL VAN DEERLIN, A TWO-TERM CALIFORNIA DEMOCRAT WITH LIBERAL VOTING CREDENTIALS. VAN DEERLIN IS CRITICAL OF POWELL'S GENERAL CONDUCT AND FLAMBUOYANT IMAGE BUT IS PINNING HIS ATTACK ON ONE POINT -- THE TROUBLES POWELL GOT INTO WITH A NEW YORK COURT BECAUSE OF HIS REFUSAL TP PAY A SLANDER JUDGMENT.

VAN DEERLIN SOUGHT OUT MCCORMACK TO EXPLAIN HIS POSITION AND TO ASK THE SPEAKER TO RECOGNIZE HIM TUESDAY SO HE CAN OFFER HIS MOTION AGAINST POWELL. VAN DEERLIN SAID HE PLANNED TO MAKE HIS MOVE REGARDLESS OF WHAT HAPPENS AT THE CAUCUS MONDAY.

SO FAR, THE HOUSE DEMOCRATIC LEADERSHIP HAS NOT TIPPED HIS HAND ON HOW IT WILL ACT ON POWELL. MCCORMACK DISCUSSED THE QUESTION BY TELEPHONE WITH SOME MEMBERS BUT GAVE NO INDICATION WHAT COURSE HE WOULD FOLLOW.

DEMOCRATIC LEADER CARL ALBERT, D-OKLA., HAS SPENT THE PAST SEVERAL MONTHS RECUPERATING FROM A HEART ATTACK AND WILL NOT BE BACK AT HIS OFFICE UNTIL MONDAY. DEMOCRATIC WHIP HALE BOGGS, LA., HAS BEEN AT THE CAPITOL FROM TIME TO TIME SINCE THE 89TH CONGRESS ADJOURNED BUT HAS DEFERRED VOICING ANY OPINION ON POWELL IN THE ABSENCE OF SIGNALS FROM MCCORMACK.

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WASHINGTON CAPITAL NEWS SERVICE

WHAT THE LEADERSHIP RECOMMENDS TO THE 294 DEMOCRATS AT MONDAY'S CAUCUS COULD BE CRUCIAL TO THE WHOLE DISPUTE.

SOME HIGHLY PLACED LIBERALS FAVOR WHAT THEY VIEW AS A COMPROMISE, WHEREBY POWELL WOULD LOSE HIS CHAIRMANSHIP BUT KEEP HIS HOUSE SEAT.

THEY ARGUE THAT THE VOTERS OF POWELL'S DISTRICT ARE ENTITLED TO BE REPRESENTED BY THE MAN THEY ELECTED BUT THAT THEY ARE NOT NECESSARILY ENTITLED TO BE REPRESENTED BY THE CHAIRMAN OF A MAJOR COMMITTEE. THAT, THE LIBERALS SAY, IS A MATTER FOR THE HOUSE TO DECIDE.

SUCH A COMPROMISE HAS BEEN REJECTED BY BOTH VAN DEERLIN AND POWELL.

POWELL SAID IN A STATEMENT RELEASED THROUGH HIS OFFICE THURSDAY THAT THE THREAT TO HIS CHAIRMANSHIP IS THE ONLY REAL ISSUE AND THAT HE OWES IT TO AMERICAN NEGROES TO "MILITANTLY" FIGHT TO RETAIN IT.

POWELL BROKE A LENGTHY SILENCE WITH HIS STATEMENT. HE IS VACATIONING ON THE ISLE OF BIMINI IN THE BAHAMAS AND IS EXPECTED TO RETURN TO WASHINGTON DURING THE WEEKEND AND ATTEND THE CAUCUS MONDAY.

POWELL SAID THERE HAD BEEN A "PUBLIC MISREPRESENTATION OF MY STRONG FEELINGS" CAUSED BY HIS SILENCE WHILE A HOUSE COMMITTEE INVESTIGATED CHARGES AGAINST HIM, INCLUDING MISUSE OF CONGRESSIONAL TRAVEL PRIVILEGES AND STAFF HIRING PRACTICES.

THE HARLEM MINISTER SAID HE WAS "DEEPLY MOVED BY THE UNEXPECTED OUTPOURING OF SUPPORT FROM THOUSANDS OF NEGROES AND NEGRO ORGANIZATIONS ALL OVER THE COUNTRY." INSISTING HE HAS COMMITTED NO CRIME, HE SAID:

"I HAVE BEEN UNFAIRLY SUBJECTED TO ONE OF THE MOST ABUSIVE CASES OF 'TRIAL AND CONVICTION BY EDITORIALS' IN THE HISTORY OF THIS COUNTRY."

REP. ALPHONZO BELL, R-CALIF., A MEMBER OF POWELL'S COMMITTEE, ISSUED A STATEMENT DENYING POWELL WAS THE TARGET OF "A CONSPIRACY AMONG HIS COLLEAGUES TO WAGE WAR AGAINST THE NEGRO PEOPLE OR CIVIL RIGHTS PROGRAMS."

BELL SAID THE PURPOSE OF THE CHARGES WAS SIMPLY TO REQUIRE POWELL TO RECOGNIZE "THE SAME STANDARD OF ETHICAL BEHAVIOR THAT COVERS ALL OTHER MEMBERS."

1/5--JD337PES

The Case for Powell

Liberals' Action 'Too Drastic'

By William S. White

THE LONG-HERALDED attempt by angry fellow-liberals to bar Rep. Adam Clayton Powell from the House of Representatives is not going anywhere when the showdown falls in the new Congress.

White

This is exactly as it should be. For when this thing is stripped of an emotionalism that is clearly excessive and of a finger-pointing humanly justified but not relevant, one central truth remains unalterable. This is that the voters deserve precisely the kind of representation they get and it is apparent that in his case Powell's Harlem constituency is perfectly satisfied with him.

Moreover, constitutional practice and tradition demand for every member a fair deal. This is easy enough to grant when the man under attack is widely seen as a good fellow. It is not so easy, however, when he is reckoned to be a bad fellow. And bad fellow describes Powell's current "image," especially among the very ultra-liberal types who are now his principal accusers where so long beforehand they had been happy to have him as a demagogic chairman of the House Committee on Education and Labor.

His sins — including his contempt for the civil courts in his highly confused financial affairs — are doubtless legion. That he is something of a rogue as well, using this to denote irresponsibility as distinct from guilt — may be strongly argued. But to proceed from this to a finding that he has no right to his seat in the House, as Rep. Lionel Van Deerlin of California and some others have been doing, is to go altogether too far.

FOR POWELL sits in the House under the reputed choice of his voters and however unwise that choice may be it cannot fairly be overturned by excitable colleagues simply because he has for years undoubtedly behaved with a marked lack of decorum — also a considerable arrogance.

To oust him justly would require his conviction of crime in a court of law and not in some pseudo-court of head-wagging at his undeniably imperious and embarrassing conduct. His more violent critics, indeed, would have done well to have done their homework before they set out to expunge Adam Clayton Powell.

For while the Constitution does say that Congress alone may, if it wishes, determine who shall be allowed to sit among it, honorable custom also says that a man duly elected is not to be thrown out in the absence of legal proof of wrongdoing of a far more serious sort than has ever been charged to this man.

The truth is that those who have come so late to their conviction of Powell's unworthiness have gone about their job in the wrong way as, unfortunately, ultra-liberals always do. The way to "get Powell" is the hard but just way of exposing his official actions inside the House and not, for illustration, his private sportiveness outside the House.

Many years of observance of politics, indeed, long since have convinced this columnist that two matters can never be trusted to ultra-liberals. One of these, so totally applicable to Powell's case, is even justice. The ultra-liberal mind simply cannot dispense justice to those it regards as nasty or wrong-headed; a curious secular puritanism quite submerges the requirement to be just even to people one "can't stand."

THE OTHER AREA of the ultra-liberal's muddle-headedness is foreign policy. For his obsession with social reform — and currently for "peace" where there can be no peace with honor — blinds any dispassionate judgment under great, shiny clouds of good intentions in a world where these are sometimes far from enough.

An illustration of the first point is that Senate ultra-liberals long ago sought to condemn Sen. Joseph R. McCarthy, the professional anti-Communist, without so much as a hearing until cooler heads demanded first a proper trial. An illustration of the second point, apart from its visible proof today in the matter of the Vietnam war, was in the 30s when Hitler was rising. The most famous liberals of that era were isolationist, don't-mix-in-foreign-war, types, right up until the bombs fell on Pearl Harbor.

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128 JAN 16 1961

JAN 5 1967

Probe of Powell Foe's Activities Sought

By Martin Weil
Washington Post Staff Writer

Negro leaders supporting Rep. Adam Clayton Powell yesterday called for House and Justice Department investigations of real estate activities of Rep. Sam M. Gibbons (D-Fla.), a leading Powell opponent.

Leaders of a group called the Pilgrimage to Preserve Powell's Chairmanship said they will suggest that Rep. Gibbons and other House members to be named Sunday should stand aside and await investigation if Powell is asked not to take his seat.

The Rev. Walter Fauntroy, coordinator of the group, said the moves were planned not in retaliation, but because "all wrongdoing ought to be considered."

In a prepared statement the group of Powell backers asked the Department of Justice to determine whether Gibbons had violated Federal laws in connection with the construction of a Veterans Hospital in his Tampa district.

The group also asked an investigation by the House Ethics Committee.

"There is nothing to it at all," said Gibbons in a telephone interview yesterday. His statement was supported by the Veterans Administration.

Group Gives Story

The Pilgrimage group gave this story of the hospital negotiations:

In 1963, the law firm of Rep. Gibbons' father, of which Gibbons was a member, represented Higo Corp., a Miami land holdings company, in the $168,000 sale of 28 acres to the VA to build a $16.9 million hospital in Tampa.

After purchase, VA [illegible] that the land was so marshy that it would cost $1 million to prepare it for construction.

The Higo Corp. was organized in 1960 with the help of Rep. Gibbons and his brother, who both invested in it.

Gibbons introduced a bill to to provide for a Veterans Hospital in Tampa.

A year later, in 1964, the VA turned down three separate offers of free land for the VA hospital in the same area.

The Pilgrimage group asked: Why did the VA turn down the free land offers? Why did they not test the land in advance to find out whether it was marshy? Did Rep. Gibbons retain any financial interest in Higo at the time of the sale? Did he realize any income from the sale of the land by Higo?

Denies Making Money

Yesterday, Rep. Gibbons said that he had not made "one penny" from the sale of the land, "and they know it."

He said he had helped incorporate the Higo Corp., acting as attorney for absentee owners, but that he never had any financial interest in the corporation.

A check with the Florida Department of State in Tallahasee revealed that Rep. Gibbons is not an owner or official of the Corporation.

The Veterans Administration said that no pressure whatsoever was exerted by Gibbons in influencing the site selection. Offers of free land were made, said the VA, but not where it was feasible to build a hospital.

Gibbons said that VA officials had asked him to introduce the bill calling for the Tampa hospital. The bill did not pass, but VA officials successfully pressed for the hospital nonetheless, spokesmen said.

The VA said that the present site was selected because it is VA policy to build hospitals adjacent to medical school campuses. The University of South Florida medical school is expected to be built across the street from the VA hospital site.

And, the VA said, VA engineers were fully aware of the subsoil conditions when the property was bought. They said construction costs should be no greater than if the hospital had been built on school property, across the street.

The Negro leaders said yesterday that Pilgrim members would be coming to Washington from all over the Nation for a Sunday meeting at the Metropolitan Baptist Church here. Pilgrims are also to establish a House gallery watch at the House chamber Tuesday, visit Congressmen, meet with the Speaker of the House, and deliver a petition to the House Democratic caucus.

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UPI-9
(POWELL)

WASHINGTON--THE GROWING SUPPORT OF THE NATION'S NEGROES APPEARED TODAY TO HAVE CONVINCED REP. ADAM CLAYTON POWELL TO MAKE RACE A BASIC ISSUE IN HIS FIGHT TO RETAIN HIS CONGRESSIONAL POWER.

POWELL CHARGED IN A STATEMENT ISSUED EARLY TODAY THAT HIS ENEMIES' ATTEMPTS TO DENY HIM HIS HOUSE SEAT OR DEPOSE HIM AS CHAIRMAN OF THE EDUCATION AND LABOR COMMITTEE WERE PART OF "A POLITICAL CONSPIRACY OF ENORMOUS DIMENSIONS."

THE CONSPIRATORS, SAID POWELL, ARE A NUMBER OF HIS COLLEAGUES AND "CERTAIN INFLUENTIAL MEMBERS OF THE PRESS" WHO ARE WAGING WAR AGAINST "BLACK POLITICAL LEADERSHIP, BLACK PEOPLE AND BLACK PROGRESS."

POWELL REPORTEDLY WAS PREPARING TO ISSUE A STRONG STATEMENT OF DEFENSE INVOKING THE RACE ISSUE SEVERAL WEEKS AGO BUT THOUGHT BETTER OF IT.

THE HARLEM DEMOCRAT SAID IN TODAY'S STATEMENT THAT HIS SILENCE HAD "FOSTERED A PUBLIC MISREPRESENTATION OF MY STRONG FEELINGS" ON RETAINING HIS COMMITTEE CHAIRMANSHIP.

"BUT I HAVE BEEN DEEPLY MOVED BY THE UNEXPECTED OUTPOURING OF SUPPORT FROM THOUSANDS OF NEGROES AND NEGRO ORGANIZATIONS ALL OVER THE COUNTRY," HE SAID, ADDING THAT THIS RESPONSE CONVINCED HIM HE MUST FIGHT "MILITANTLY" TO RETAIN IT.

POWELL, WHO IS STILL VACATIONING ON THE ISLE OF BIMINI IN THE BAHAMAS, ISSUED HIS STATEMENT THROUGH HIS WASHINGTON OFFICE. HE IS EXPECTED TO RETURN TO THE CAPITAL DURING THE WEEKEND TO ATTEND A CLOSED CAUCUS OF HOUSE DEMOCRATS ON MONDAY AND TO SHOW UP ON THE HOUSE FLOOR TUESDAY WHEN THE 90TH CONGRESS CONVENES.

ON THAT DAY, REP. LIONEL VAN DEERLIN, D-CALIF., PLANS TO CHALLENGE POWELL'S RIGHT TO TAKE THE OATH OF OFFICE.

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WITH POWELL

NEW YORK (UPI)--MRS. ADAM CLAYTON POWELL, IN AN INTERVIEW BROADCAST FRIDAY NIGHT, SAID THAT FOR THE PAST 18 MONTHS SHE HAS NOT RECEIVED THE $20,000 A YEAR SALARY SHE MADE AS A SECRETARY ON HER HUSBAND'S HOUSE EDUCATION AND WELFARE COMMITTEE PAYROLL.

MRS. POWELL TOLD CBS-TV CORRESPONDENT ROBERT SCHACKNE THAT SHE HAD NOT SEEN HER CONGRESSMAN HUSBAND IN "ABOUT A YEAR," AND THAT DURING THE PAST YEAR AND A HALF SHE HAS BEEN SPENDING HER TIME PRIMARILY AS A HOUSEWIFE, NOT AS A SECRETARY.

THE HOUSE ADMINISTRATION COMMITTEE, CONCLUDING AN INVESTIGATION OF THE SPENDING HABITS OF THE COMMITTEE POWELL HEADS, ORDERED MRS. POWELL OFF THE PAYROLL THIS WEEK. MRS. POWELL WAS ASKED TO APPEAR BEFORE THE INVESTIGATING COMMITTEE BUT DID NOT ANSWER SUBPOENAS SENT TO HER HOME IN PUERTO RICO.

THE CBS INTERVIEW WAS CONDUCTED IN SAN JUAN THURSDAY.

QUESTIONS AND ANSWERS FROM THE INTERVIEW:

Q. ARE YOU WILLING TO GO TO WASHINGTON AND TESTIFY FREELY?

A. YES, I AM.

Q. EVEN THOUGH THIS CAN AFFECT THE CAREER OF CONGRESSMAN POWELL, YOU'LL STILL TESTIFY?

A. YES, I FEEL THAT I SHOULD TESTIFY IF THEY REQUEST SO AND I JUST SAY THE TRUTH.

Q. WELL, THE POINT AT ISSUE, OF COURSE, IS YOUR ROLE AS A SECRETARY ON THE CONGRESSMAN'S STAFF. HAVE YOU IN FACT BEEN WORKING AS A SECRETARY ON CONGRESSMAN POWELL'S STAFF FOR THE PAST YEAR AND A HALF?

A. YES, I'VE BEEN DOING WHATEVER THE CONGRESSMAN REQUESTED THAT I DO.

Q. I TAKE IT YOU HAVEN'T SEEN HIM FOR THE PAST YEAR AND A HALF.

A. NO.

Q. AND YOU HAVE BEEN LISTED AS HIS SECRETARY LIVING IN PUERTO RICO. CAN YOU TELL ME WHAT A SECRETARY FOR A CONGRESSMAN DOES IF SHE LIVES IN PUERTO RICO AND HE IS IN WASHINGTON REPRESENTING A NEW YORK DISTRICT?

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WASHINGTON CAPITAL NEWS SERVICE

A. WELL, I FEEL HE'S THE ONE THAT SHOULD ANSWER THAT BECAUSE I'VE BEEN DOING WHATEVER HE HAS REQUESTED, BUT I FEEL HE'S THE ONE THAT COULD GIVE YOU INFORMATION ON THE TYPE OF WORK THAT I'VE DONE.

Q. FOR THE PAST YEAR AND A HALF NOW HAVE YOU BEEN SPENDING YOUR TIME PRIMARILY AS A HOUSEWIFE OR PRIMARILY AS A SECRETARY?

A. NO, AS A HOUSEWIFE.

Q. AND ONLY PART TIME AS HIS SECRETARY.

A. YES.

MRS. POWELL SAID HER HUSBAND "HAS BEEN THE ONE WHO HAS ALWAYS BEEN IN CHARGE OF FINANCES FOR OUR FAMILY. HE'S THE ONE WHO TAKES CARE OF THE MONEY," AND THAT HER SALARY CHECKS AS A COMMITTEE SECRETARY HAVE GONE TO HIM AND NOT TO HER.

Q. WELL, HOW HAVE YOU BEEN GETTING ALONG THEN?

A. WELL, HE'S BEEN SENDING SOME MONEY.

Q. WELL, IN FACT, IT SEEMS EVIDENT THAT YOU'RE NOT LIVING WITH YOUR HUSBAND, THAT YOU ARE SEPARATED. IS THAT TRUE?

A. YES, THAT'S TRUE. HE HASN'T BEEN HERE IN ABOUT A YEAR YET.

Q. THEN WHAT IS THE FUTURE, THEN?

A. I DON'T KNOW. I WISH I KNEW BECAUSE OF MY SON, BUT I DON'T KNOW WHAT'S GOING TO HAPPEN. I GUESS IT'S UP TO HIM.

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UPI-15
(POWELL)
NEW YORK--DESCRIBING HERSELF AS A HOUSEWIFE AND PARTTIME SECRETARY, MRS. ADAM CLAYTON POWELL SAYS SHE HASN'T BEEN PAID FOR THE PAST 18 MONTHS FOR SECRETARY SERVICES FOR HER ESTRANGED CONGRESSMAN-HUSBAND.
MRS. POWELL, WHO WAS LISTED AS A $20,000-A-YEAR SECRETARY FOR POWELL'S HOUSE EDUCATION AND LABOR COMMITTEE, WAS ORDERED OFF THE PAYROLL THIS WEEK FOR FAILURE TO APPEAR BEFORE A CONGRESSIONAL COMMITTEE.
IN A TELEVISION INTERVIEW BROADCAST LAST NIGHT, MRS. POWELL TOLD CBS-TV CORRESPONDENT ROBERT SHACKNE SHE HAS NOT SEEN POWELL FOR -ABOUT A YEAR" AND THAT SHE WAS WILLING TO GO TO WASHINGTON AND TESTIFY.
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WASHINGTON CAPITAL NEWS SERVICE

Powell's Just Too Blatant

It's All Been Done by Members Of Congress Before, But Not Quite So Ostentatiously

By Richard L. [illegible]

REP. ADAM CLAYTON POWELL (D-N.Y.) isn't the first and won't be the last Congressman to use the public purse to lead the good life. What makes him different and infuriates his colleagues is that he's so casual and open about it—thumbing his nose at the world while his Harlem constituents tell critics, "Man, does that cat know how to live!"

Powell's creed has been that he can do anything a white man can do. And he has proved himself the House decathlon champ at it, swashbuckling his way from Paris night clubs to the isle of Bimini, always with a pretty girl, while his wife Yvette drew $20,578 as his secretary and stayed in Puerto Rico.

It used to be assumed that House members' anger was directed chiefly at Powell's spotlighting of the free-loading available to all and practiced more quietly by many. But that was back in the lush 1950s when an endless supply of counterpart funds financed foreign travel and a member could buy cheap whisky and tires at the House stationery shop.

It must be remembered that more than half the members have entered the House within the last six years and don't really know what big spending is. It may be that a majority of the House is now truly outraged and ready to squeeze all the water out of its expense accounts, but if it does so, that will be news.

True enough, no other member faces, as Powell does, a jail sentence for failure to pay a slander judgment. No other member has been accused of buying dummy plane tickets with his committee funds for pleasure travel. None has lately been photographed in a Paris night club with two pretty assistants, all traveling at public expense.

Powell, the Baptist minister who describes himself as "just a humble parish priest," does it all on a grander scale. But you name it, and someone else has done it before him. Powell invented nothing. He is just an expert practitioner of the art.

A Family Affair

TAKE NEPOTISM. Each year the payrolls show that about 50 House members have their wives or other relatives on the staff. Majority Whip Hale Boggs (D-La.) has employed his wife and his son served briefly on the staff of the Joint Economic Committee, of which Boggs is a member.

John Nance Garner, Speaker and Vice President, always employed his wife as secretary, telling critics they should be glad to know his secretary's pedigree rather than take a chance on an outsider. Three years ago, one member employed both her son and granddaughter, while another paid his daughter $2000 for part-time work while she was a college student in Florida. The difference is that a law since passed requires employes to work in Washington or the Congressman's home state, and Mrs. Powell did not and was fired last week by House investigators.

Each year, 100 or more House members tour the world after Congress adjourns, inspecting foreign aid, military installations, night clubs, schools and so forth. It undoubtedly makes them better Congressmen but it has turned up some funny expense accounts.

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Liquid Sustenance

A CHECK of the records in 1960, just before they were locked off from public view, turned up the following expense items:

• Six Congressmen returning from the Antarctic made an official stop at Hawaii on the way home. Their hotel bill at the Royal Hawaiian showed $190 in charges printed as "bar." But in each case, the word "food" had been inked in.

• On other trips to Hawaii and New York, the word "Mrs." was marked out on hotel bills so the Congressmen (not Powell) could recover the full cost as their own official expenses.

• Rep. Wayne L. Hays (D-Ohio), chief investigator of Powell, was chairman of a House delegation to a NATO Parliamentarians Conference in 1958-9. During that period, he made 47 plane trips between Washington and his home charged to the conference expense fund. The staff that accompanied him to the conference in Europe on the SS United States included two employes from his office and the managing editor of a paper in his home district. More recently, Hays took the head waiter of the House restaurant to Europe with him.

• Rep. Omar Burleson (D-Tex.), chairman of the House Administration Committee, which supervises House spending, drew $12 per diem for 84 of 88 days during the 1958 recess, investigating election and other matters in his home district and elsewhere. His work days included Thanksgiving and Christmas.

Antarctic Agriculture

UNTIL 1963, when Powell's Paris trip brought a semi-crackdown, foreign travel was as free and easy as making a speech. A member told his committee chairman that he needed to go somewhere to investigate something and he got a letter of credit.

Agriculture experts found work to do at the South Pole. A group looked at municipal stadiums in South America. The most celebrated trip of 1961 was taken by former Rep. Richard E. Lankford (D-Md.), who circled the globe for the Armed Services Committee on a 39-day trip that cost $6062.86, of which $1379 was spent for "miscellaneous."

In the past, a favorite duty of members was to investigate the Panama Canal, usually in the fall after a hard campaign. The Government-owned Panama Canal Co. carried members free and their families at part of the 15-day cruise. Traffic fell off when the passenger list was made public in the late 1950s.

Congress has always protected its drunks, closed its eyes to conflicts of interest and accepted convicted felons into its membership without a murmur. Ten years ago, Thomas J. Lane (D-Mass.) served four months for tax evasion, was re-elected, seated and presided over an important Judiciary subcommittee until he was redistricted out of office in 1962.

A Congressmen is paid $30,000 a year. He also has several expense accounts—for stationery, telephones, travel—some parts of which he can pocket if he doesn't spend them. He is also entitled to draw rent for an office in his home district.

One Indiana Democrat rented himself the front porch of his home for an office in 1959 and was known thereafter as "Front Porch" Harmon. He was not re-elected.

Congress ignores or condones conduct by its own for which it would fire a downtown bureaucrat. Investigating committees are always seeking and denouncing inefficiency and waste in the Executive Branch. But ten years ago, the House Un-American Activities Committee put on a roadshow carrying one witness to ten cities coast to coast to do the same thing: open a mail bag and describe the deluge of Communist propaganda coming into the country.

Bursts of Conscience

THERE HAS BEEN sporadic talk of reform, usually when Powell turns up in the news. Four years ago, after his Paris swing, the House Rules Committee pushed through a resolution requiring most committees to get its permission before sending anyone out of the country.

A few members have long urged public disclosure of outside income by members of Congress. This was added to a campaign spending bill that got out of a House subcommittee, but no further, last year.

The latest story of Powell's apparent use of public funds for private travel has brought a further tightening of the rules for reporting and auditing House committee spending.

Late last year, the House set up an ethics committee but carefully gave it no teeth or even a mandate to do anything except study whether it was needed.

The Senate has done more politicking than the House in recent years, though it adds up to only one case per decade: Joseph R. McCarthy of Wisconsin in the 1950s and now Thomas J. Dodd of Connecticut.

Congress traditionally has put up with almost anything from its individual members, considering them sovereign powers elected by and responsible only to their voters. Does he drink, steal, philander? Well, let his constituents vote him out.

Meanwhile, he can sit in the seats of the mighty, guarding the public purse, telling the Executive Branch how to do its job. It is very difficult to guard the guards.

United Press International

Rep. Adam Clayton Powell ... Finally on the defensive?

Look Magazine Photo from United Press International

It was April, 1963 and Rep. Powell was presumably happily married to Yvette (right) when this photo was made in his beachfront home in Puerto Rico. In fact, the only thing obviously bothering him was the surf, which forced him to plug one ear as he took a call from Labor Secretary Willard Wirtz in Washington. Yvette, of course, is still a certified resident of Puerto Rico, a costly circumstance.

POWELL'S BACKER TO TRY NEW TACTIC

Voters Seek to Bar Arrest, Saying Enforced Absence Violates Their Rights

By MURRAY SCHUMACH

Constituents of Representative Adam Clayton Powell will contend in Federal Court tomorrow that the criminal contempt citation against Mr. Powell violates their civil rights by denying them access to their Representative in Congress.

They will seek a temporary injunction staying the state courts from ordering Mr. Powell's arrest while Congress is in session.

The lawyers for the Harlem residents will contend that the contempt citation under which he is subject to arrest in New York is really a civil action, not criminal, and he should not be denied his Constitutional immunity during a session of Congress.

They will say that a true criminal contempt would be the result of a trial by jury and that Representative Powell's citation was handed down by State Supreme Court justices.

The citation followed Mr. Powell's failure to comply with a $164,000 judgment awarded to Mrs. Esther James, a 68-year-old widow whom he had accused or sued a go-between for gamblers and dishonest police in Harlem.

Basis Held 'Significant'

In another development Julan Jack, acting as chairman of the Council of Elected Negro Democrats, made public a resolution of its 51 members saying they would break from the Democratic party if Mr. Powell were denied his committee chairmanship or his seat.

The resolution said the opposition to Mr. Powell "is considered by us, one and all, to be an attempt to perpetuate the wider conspiracy against us all, by denying Negroes the opportunity to achieve and maintain positions of strength within the Democratic Party."

Mr. Jack, former Manhattan Borough President, spoke at a conference of Negro officials at 132 West 126th Street.

The civil rights basis for the suit was described as "unique and extremely significant" by William Kuntsler, one of the five lawyers at a news conference in the Adam Clayton Powell Community Center, 170 West 137th Street, where the announcement was made.

However, since the complaint is not to be filed until about 10 A.M. tomorrow, Mr. Kuntsler and the other lawyers said it would not be proper to discuss more specific details.

Basically, Mr. Kuntsler said this is a development of the one-man, one-vote concept of the United States Supreme Court.

Rally Staged for Him

The actual contention of the suit has its roots in a law of the Reconstruction era permitting a person who felt he had been deprived of his rights to seek redress in the Federal Courts. The lawyer pointed out that civil rights attorneys had used this statute—Title 42 U.S. Code, section 1983—hundreds of times.

The preparation of the suit became known as efforts were under way in Washington to deprive Mr. Powell of his chairmanship of the Education and Labor Committee and to prevent him from being seated when Congress convenes tomorrow. The contempt citation is one of the major reasons for these projected actions.

The latest legal maneuver was one of several developments in the city in the fight for the Negro Representative from Harlem, who was elected from the 18th Congressional District in November for his twelfth term.

In the Bedford - Stuyvesant section of Brooklyn, a rally was staged in his behalf at Arlington Place and Nostrand Avenue. In Harlem, at 132 West 125th Street, prominent Negro Democrats supported him. He received endorsements from an organization of Baptist ministers and the Alpha Phi Alpha, a professional fraternity to which he belongs. He is pastor of the Abyssinian Baptist Church at 132 West 138th Street.

Some 70 constituents were said to be behind the Federal Court action. According to the lawyers, they include such prominent Negroes as A. Philip Randolph and Livingston Wingate. The lawyers said they could just as easily have had "thousands" of constituents but decided they had enough.

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New York World Journal Tribune
The Baltimore Sun
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The Wall Street Journal
The National Observer
People's World

Date JAN 8

"Means of Disfranchisement"

The names of the defendants were not made public, but one of them will be the sheriff of New York City, since he holds the warrant for Mr. Powell's arrest, should he come to the city. The lawyers said they could not discuss how they were retained, or how the suit was financed, since that would be a violation of confidential relationship with clients.

William F. Chance Jr., one of the lawyers, said that the loss of this injunction suit could have harmful repercussions in the field of civil rights.

"This could become a new means of disfranchisement in the South," he said. "This is an important precedent."

The other lawyers for the Harlem constituents are Dunbar S. McLaurin, Lawrence R. Bailey and Arthur Kinroy, who is Mr. Kuntsler's partner. Mr. Kinoy was removed from a hearing of the House Committee on Un-American Activities last year.

The lawyers said they had been discussing this approach for an injunction for a few weeks. They had originally planned to file the complaint yesterday, but did not do so for "strategic reasons." Since a news conference had already been called, they agreed to divulge the gist of the complaint planned for tomorrow.

The statute on which the suit is based was originally intended to protect newly freed slaves against loss of their rights by action of states.

Consultation Denied

Mr. McLaurin noted that "whenever there's an action between a citizen and a state, it has to go to the Federal Court."

In answer to a question, Mr. Kuntsler said that although he is a member of the board of the American Civil Liberties Union, that organization was not involved in the suit.

The lawyers denied they had consulted with Mr. Powell about this suit, and said that so far as they knew he was unaware of it. However, they said that it was not unlikely that he had found out about it.

The lawyers were introduced to the press by John Young, a member of the executive committee of Mr. Powell's club, the Alfred E. Isaac Democratic Club at 3496 Seventh Avenue, near 145th Street.